The Hayes Family

Reminiscences by Elystus L. Hayes

THE HAYES FAMILY

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First Edition

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THE FAMILY

MARY FOLSOM
b. Oct. 2, 1825 d. July 27, 1905

1. Married May 14, 1854

ANSON EVERIS HAYES
b. Aug. 27, 1813 d. Oct. 16, 1873

2. Married July, 1889

THOMAS B. CHYNOWETH
d. Feb. 28, 1891

Mary and Anson Hayes had two sons:

EVERIS ANSON HAYES
b. Mar. 10, 1855 d. June 3, 1942

Married Oct. 11, 1884

NETTIE LOUISA PORTER
b. Aug. 15, 1857 d. May 26, 1892

They had three children:

1. SIBYL CHARITY HAYES
   b. Feb. 26, 1888

2. ANSON CLINTON HAYES
   b. May 23, 1888

3. HAROLD CECIL HAYES
   b. Jan 2, 1891

Married July 18, 1893

MARY LOUISE BASSETT
b. May 23, 1856 d. Aug. 15, 1945

They had three children:

1. PHYLLIS CELESTIA HAYES
   b. July 3, 1894

2. LOY BASSETT HAYES
   b. June 18, 1897

3. ABRAHAM FOLSOM HAYES
   b. Sept. 1, 1899

JAY ORLEY HAYES
b. Oct. 2, 1857 d. Aug. 31, 1948

Married June 16 1885

CLARA ISABEL LYON
b. Oct. 2, 1857 d. Dec. 7, 1932

They had five children:

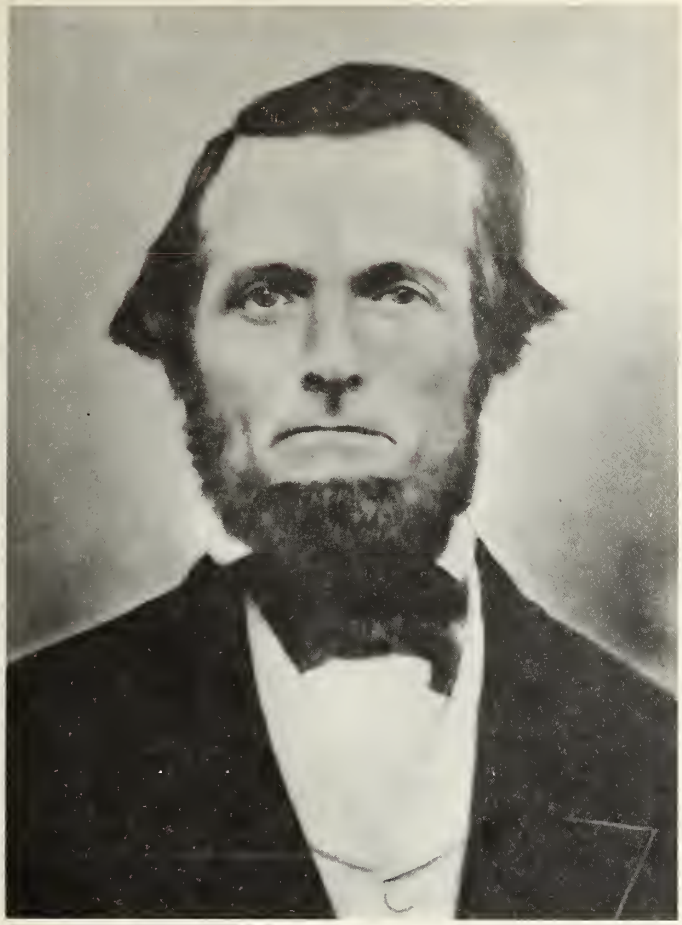
1. MILDRED MARY HAYES
   b. Oct. 29, 1889

2. LYETTA ADELIA HAYES
   b. Feb. 22, 1893

3. ELYSTUS LYON HAYES
   b. Feb. 15, 1895

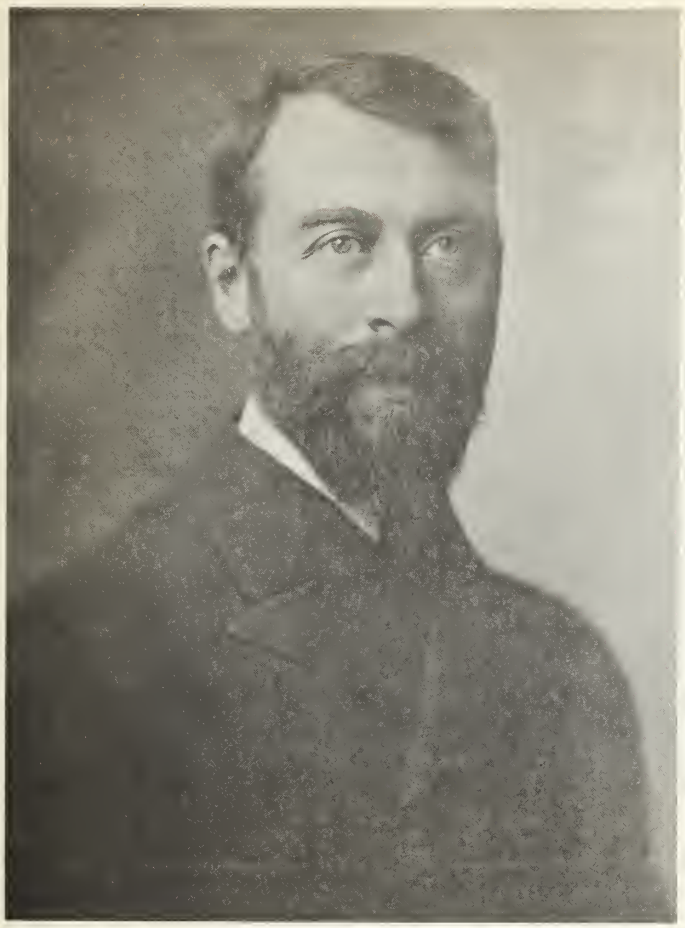
4. MIRIAM FOLSOM HAYES
   b. June 27, 1897

5. JAY ORLO HAYES, JR.
   b. Dec. 22, 1899



ANSON EVERIS HAYES
(1854)

MARY FOLSOM HAYES
(1854)



EVERIS ANSON HAYES
(1900)

JAY ORLEY HAYES
(1900)

E. A. HAYES FAMILY (1900)

J. O. HAYES FAMILY (1900)

GERMANIA MINE
Ironwood, Wisconsin

MARY HAYES CHYNOWETH
(1900)

CLARA LYON HAYES
(1885)

JUDGE and MRS. WILLIAM P. LYON
Sixtieth Wedding Anniversary
Eden Vale (1907)

THE OLD HOUSE Purchased in 1887
Destroyed by fire (1938)

EDEN VALE STATION
Cap Gulnac (by wagon)
Nathan Hayes (with beard)

MARY HAYES CHYNOWETH'S DRAWING ROOM

THE FIRST HOUSE Built in 1890
Destroyed by fire in 1899

THE CHAPEL

THE CARRIAGE BARN

THE NEW HOUSE Built in 1905

THE J. O. HAYES CHILDREN (1905)

THE LIBRARY

THE DRAWING ROOM
Decorated for Mildred's wedding

PALM AVENUE
Mildred (left) and Miss Pearson
(Mary Hayes Chynoweth's secretary)

VIEW OF PARK FROM FRONT OF HOUSE

THEODORE ROOSEVELT'S VISIT TO SAN JOSE
(1905)

STAGE RIDE TO SIERRA CITY
From Blairsden (1912)

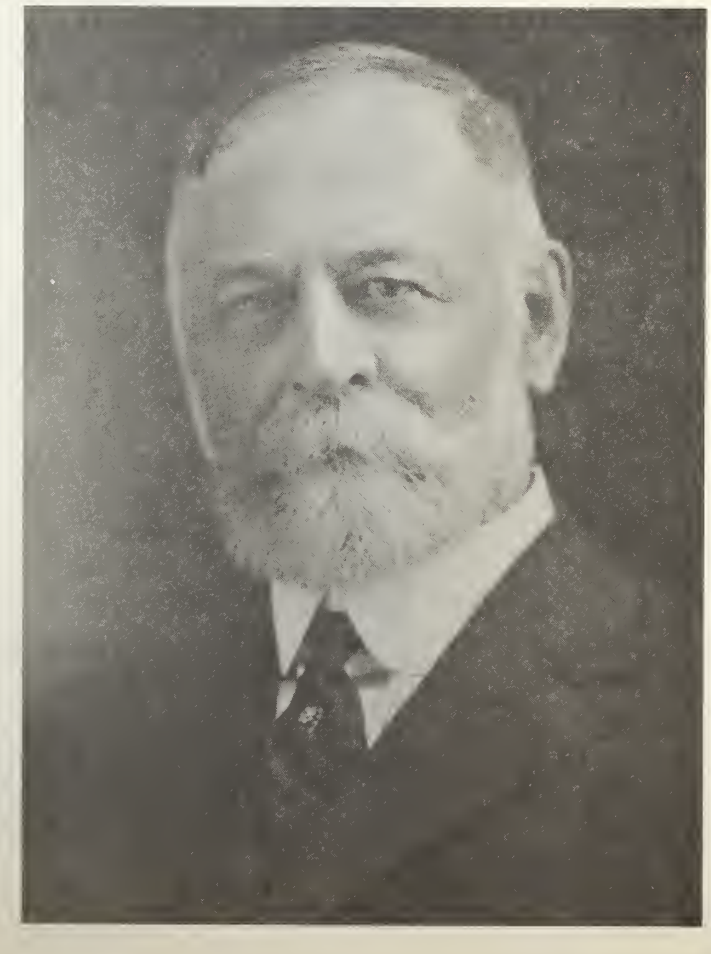
JENNY BRAY WITH MIRIAM IN CART

THE GARAGE

PORTE COCHERE ENTRANCE
Lyetta, Phyllis, Clara, Sibyl, J. O.,
E. A. and Mary (from left)

THE PIERCE ARROW
Van (chauffeur), E. A., J. O. and
Jack Hayes (Folsom's son) 1930

CLARA LYON HAYES
(1930)



J. O. HAYES
(1930)

ELYSTUS L. HAYES
with trophies awarded to the
Mercury and News by the California
Newspaper Publishers' Association (1951)

ELYSTUS LYON HAYES
(1918)

INTRODUCTION

The happiest memories of my childhood were the summers and holidays I spent at Eden Vale. The carefree days of riding a bicycle through the beautiful park; driving Jenny (the donkey) harnessed to her special two-wheel cart over the lovely paths and the excitement when she would run away with us lickity-split across the fields; playing "Beefsteak" and "Red Light, Green Light" between the two palm trees on the front lawn; making daisy chains from the thousands of daisies that grew on the lawns; eating the peaches right off the trees, warm and sweet; picking prines off the ground, going to the dry yard to watch the workers process them, watching people cut apricots there; going to the basement under the kitchen and watching the fruit canners (my mother, sister, aunts, cousins and others) working with the hot wood stove blasting its heat to all and being glad I was not old enough to help and could escape and go out into the fresh, cool air; going with Brum to take the garbage to the dump, riding on the back of his truck, swinging our legs and singing, "Kallo my honey, kallo my baby, kallo my rag time doll. Send me a kissa by the wire. Honing my heart's on fire..." with Brum leading the singing; watching him tie a red bandana scarf around his face to cover his nose to clean out the cess pool, helping him feed the chickens and turkeys; watching Bill Bentzler milk the cows and then going to the separator room and drinking the warm skim milk as it came foaming out of the machine (the skim milk was fed to the cats and other animals, never taken to the house); watching the cook turn the handle of the butter churn to make butter and later watching her helper make butter-balls with the two flat wooden paddles, there was always a butter-ball on each butter plate at the table - these are just a few of my memories.

One of my favorite ways to spend a morning was to drive into San Jose with Grandpa (J. O. Hayes) and wait for him in the car parked on Santa Clara Street in front of the Mercury Herald office. Van, the chauffeur, always had a book and would read, but it never occurred to me to bring one. I sat and watched the people walk down the street (a busy area so there were always many people) and I was never bored. I can do it to this day, at airports, or any place I am waiting. Watching people is still fun to me. Occasionally I would go inside the office for a visit with Aunt Lyetta who would let me run the adding machine for a few minutes, compiling staggering sums.

One special treat was a 2:00 A.M. trip to the newspaper plant to watch the paper being printed. We went to bed early that night and were awakened around midnight and got up and dressed and then my father drove several of us into town. The typesetter gave us a little metal blocks with our names on them and I kept mine for years. After we watched the printing we went to get something to eat and it must have been about four in the morning. I remember the shocked look on the waitresses face seeing young children up at such an hour.

Because of the advertising connection we were given passes to the movies in San Jose and I will never forget the time when there was a special three-dimensional short feature (we had to wear special

little glasses for it) and in the movie a cowboy pointed a rifle toward the audience and said, "This is for all the people who came into the theater on passes. . ." and then shot the gun. There were about five of us who screamed and ducked.

Riding in Aunt Lyetta's Pierce Arrow was always fun as she had a rumble seat and we would take turns climbing into it and riding with the wind blowing our hair. The big Pierce Arrow had a window between the back seat and the driver's seat and there was a little telephone in the back seat so that the passenger could tell the driver where to go. The window was rarely up and the telephone never used that I recall so we would go to the garage where the car was parked and roll up the window and one of us would sit in the driver's seat and one in the back seat and proceed to enjoy the use of the telephone. The car also had "jump seats" so that five people could sit in the back. We children were usually delegated to these seats and we loved riding in them.

Many of my very happiest times were spent with Minnie Scheibel (the head gardener's daughter who was my age). We learned to drive at ten years old when the little pick-up truck was being used to carry leaves, which had been raked into piles by the workmen. Minnie's father started us out and we soon took turns sitting in the driver's seat working the pedals and the gas, the other would sit next and steer and shift. It was quite a feat to coordinate it all.

After I had learned to drive alone, Uncle Harold would let me drive him in his car all over the park and even out on Palm Avenue and Chynoweth Avenue. He was the only one who would trust me to drive and I will never forget how much faith he had in me.

When I was older I did have an experience that was not so pleasant. I took Grandpa's car without permission (I was about thirteen at the time) after a rainy spell and the roads were very muddy. I drove my friend Minnie through all the muddiest places in the park in order to make the car skid. We had a wonderful, wild time until I went into a deep puddle and the car got stuck. It was on a Sunday and one of the workmen had to be brought out on his day off to get the tractor and pull the car out of the mud. I do not remember being punished other than feeling very ashamed for doing such a thing and I never did anything like it again.

In the evening after dinner was a special time of day for me. There would be a little family "meeting" when we would sing hymns and Grandpa or Uncle Everis would read the "Thought for Today (a message by my great grandmother, Mary Hayes Chynoweth) which was printed daily in the Mercury Herald. My mother's teachings of her life are still the basis of my religious beliefs. Being one of the younger children I was usually elected to pass the hymn books and Aunt Sibyl would play the piano and sometimes Aunt Blimmie, if Aunt Sibyl was not there. But when Aunt Phyllis was there I especially enjoyed the hymns as she played the piano so beautifully...I was disappointed when it was time to stop singing. Grandpa and Uncle

Everis had beautiful voices and I loved listening to them sing. It was a very special and harmonious time of the day and I really loved it. Then it was time to go to bed all alone, sometimes to the Center House through the dark corridors and I can remember never being afraid and always being a little surprised that I was not.

Sleeping was usually an adventure when there were many cousins at Eden Vale. Sometimes we had a treat and could sleep in the Big or Little Tapestry Rooms or in the Blue Room or Green Room (colors of the carpets) in the Center House. In the summer we had a special treat and were able to put cots outside the Blue Room (through the window) on the porch above the porte cochere. We would line the cots up and then drape elaborate arrangements of mosquito nettings over them. We would lie in bed and listen to the crickets and watch the falling stars before we fell asleep. But the sun would be up early in the morning and it would get warm so we were usually up before most of the household. We had to climb in and out of the window to get to the"bedroom."

Riding on the wagon to pick up the stacks of alfalfa was another fun experience Minnie and I had. Horses pulled the wagon through the field and we would stop at each stack and wait while it was pitched onto the wagon. When the pile was as high as it could safely be we would be thrown up on the top and ride to the barn where it was stored and we usually had to duck our heads in order to get under the barn door we were up so high. We also used to climb up the ladder on the inside of the wall where the hay was stored and go up as high as we had the nerve to do and then jump into the hay and feel very proud of our bravery.

It was always fun to watch Uncle Everis chop wood. He had a storage shed where he kept the wood he had chopped for years and it was in beautiful order and each different section was dated. I can remember looking up at the huge piles and wondering how he got the wood stacked up so high, but I never asked.

Aunt Sibyl took us on special cultural outings to San Francisco to the opera. She took the boy cousins on one trip and then the girl cousins on another. We had dinner in a restaurant and stayed all night in a hotel and then had breakfast there. That was really a thrill for us all as this was during the depression and we did very little going out to eat or to theaters, except the free movies.

Before World War II my sister, Joan, and my cousin, Nancy Griffin, and I got jobs cutting apricots in a dry yard in San Jose. We would get up early (from our outdoor beds on the porch) and head off in "Abigail" (Nancy's two-door topless Chevrolet Roadster, vintage 1929). It was painted a bright yellow and had red spoked wheels and we were quite a sight driving down Monterey Road early in the morning. Often we would pass convoys of army trucks and the boys would wave and yell at us and we would wave and yell back. We did not last too long at the cutting job as we were so slow we were

making very little money. We were paid by the lug box of apricots, 25¢ per box, and it took us about two hours to cut one box. We would shout, "Tray!" when we had filled our drying tray with cut apricots and "Fruit!" when we needed a new box of apricots and one of the workmen would bring them. I would cut my fingers quite often and decided that if I ever had children I would never feed them "Beechnut Baby Food" (the company we were cutting for) but when the time came "Beechnut Baby Food" was packed in nice little glass jars so that I broke down and fed my children that brand hoping that the cutters were more careful than I had been.

We quit our jobs at the cutting yard and decided to go to work for one of the canneries where we would make more money. The next day we drove to the cannery and stood outside in the hot sun for hours waiting to be called to work. Someone felt sorry for us and tipped us off that we should buy some yellow cannery hats like the ones the women wore there so that the supervisor would think we had worked the summer before. We went off to Penney's and made our purchases and returned the next day and stood in the hot sun, wearing our yellow cannery hats, waiting to be called, but we never were.

Now it was time to use some pull. So we asked Aunt Lyetta to put in a good word for us with her friend Ellsworth Chase, who owned the Richmond-Chase Cannery. And I will never forget that we were driven there in a chauffeur-driven car! The workers at the plant made quite a bit of that, and, needless to say, we were not given a job there.

The next day Joan and Nancy decided that they had better go back to the original job at the dry yard. I said I would not go back after quitting, but they were braver than I, so off they went early the next morning. I stayed in bed out on the porch, sleeping. About an hour or so later I heard the car coming back and jumped out of bed and called over the rail to them and asked what had happened. They reported that the head of the dry yard would not rehire them as their jobs had been filled. That was the end of our working episode that summer. Back to the daisy chains!

Thanksgiving dinner was always a big celebration with many aunts and uncles and cousins and always the "touch" football game on the front lawn after the enormous noon dinner. Salted almonds and scalloped oysters were the special treat then.

Anise (Springerle) cookies were the treat at Christmas. (Years later I learned how to bake them from Aunt Blimmie - Lena Lindeman - and make that a traditional part of my Christmas today.) Each one of us received a silver dollar from Aunt Mary, always a wonderful book from Aunt Sibyl and usually a box of licorice from Aunt Blimmie, or a box of her anise cookies.

Christmas Day was always thrilling because Santa Claus would appear at the tower with his bag of toys. We were taken outside of the house to see Santa way up in the tower and then inside and he

would come down the stairs with his red suit, white whiskers and jolly "HO HO HO!" Uncle Loy was Santa Claus and later Anson, Jr. took over. I knew I was grown up when I recognized Anson behind the mask.

The Fourth of July was a special event and the night fireworks were always spectacular. Skyrockets were shot off over the front lawn and there were always Roman candles and pinwheels and sparklers. The day time fireworks were not so much fun for me, except for the "snakes." One Fourth I was badly burned by a "Torpedo" that I threw too close to my leg and I had to spend a good deal of that summer in bed.

There were some special food items that were just "Eden Vale." Salt Rising Graham Bread was the standard bread served all the time and it was delicious. I have tried to bake it many times but never have been able to equal the Eden Vale bread. Chocolate or vanilla junket was always available for dessert if we did not care for what was being served that meal. On Sundays dinner was at noon and the cook was given the rest of the day (and Monday) off. We were "on our own" for Sunday night supper and were allowed to go to the kitchen and have anything we wanted. I always had several large bowls of Grapenuts as cold cereal was a treat for me.

Grandpa had a special way to eat pancakes. He would put the pancakes in a bowl and pour maple syrip over them and then cream. I, of course, thought this was the best way to eat pancakes, as anything my grandfather did was the right thing to do, but I recall only doing it when I was with him. He also had milk gravy every noon on his baked potato and this was the only way to have baked potato. Uncle Orlo had his own use for milk gravy; he put it on pie. We tried it but did not feel it improved the pie and I always wondered whether we were being "put on."

Fresh corn on the cob was the best vegetable there was at Eden Vale as it was picked fresh from the garden only a few minutes before we ate it. I have never eaten corn like that since Eden Vale days.

My grandmother, Clara Hayes, had her special "ceremonies" which she performed at the dinner table. One was grinding horseradish root so it would be very fresh - and it was really HOT! She also would make hardsauce at the table mixing the butter and sugar together, when we had steam pudding. This was a Christmas treat.

I am sure each of you cousins who spent time at Eden Vale as children have your own wonderful memories of your days there.

For the past several years I have been trying to persuade Uncle Dit to put down on paper the background and events of the Hayes family. As children we enjoyed a happy carefree life, but I knew that there had been a great deal of work going on to keep Eden Vale so beautiful and a haven for us children. I felt we

should know what was going on while we were at play. He finally agreed and went to work this year. I have gathered the photographs from various family sources, and the following is the result of our work.

It is our hope that it will be a help to us all to understand what has gone on over the years.

Clare K. Berlin

THE HAYES FAMILY

Reminiscences of Elystus L. Hayes

FOREWORD

My niece, Clare Berlin, has been most insistent that a record should be made so that the descendents of my grandmother, Mary Hayes Chynoweth, can know something of their background. At Clare's urging, I have undertaken the job.

In recording the history of the Hayes family I have relied principally on my own memory, supplemented by stories told me by my parents covering the years before I arrived on the scene. Mrs. Louisa Johnson Clay's biography of Mary Hayes Chynoweth has also helped. I may have made some errors -- in dates, for instance -- but I am sure that on the whole a true record is given.

These memoirs are intended to picture the life of the Hayes family at Eden Vale. Enough of the earlier history will be told to provide the background necessary for an understanding of events occurring in the years that followed. No effort will be made to record the activities of any family member younger than my generation, and the activities of my generation will be included only if they affect the family as a whole.

Some family members may be mentioned more often than others. If so, it is because they had the greatest impact on the events I report. Every member of the family participated in, and contributed to, the family community.

LIFE IN WISCONSIN

THE MATRIARCH

Mary Folsom was born in Holland, New York, on October 2, 1825, the daughter of Abraham Folsom and Miriam Bean Folsom. Her father was a blacksmith and a Free-Will Baptist minister. Mrs. Grover Cleveland (Frances Folsom, wife of the president) was a cousin.

As a young child Mary was always active and eager to help with the family chores. She had very little formal schooling, but she learned so readily and had such a retentive mind that before long she became a school teacher. She was younger than some of her pupils. As a young girl she was always ready to help others who were ill or in trouble, and she seemed to know just what herbs or other remedies would bring relief to a sick person. She would pray for guidance, and then the impression would come as to what she should do.

In 1850 the family moved to Waterloo, Wisconsin, and Mary continued her teaching. At about that time the Spiritualist movement attracted much attention, and Mary's father was impressed by it. Mary had been sceptical of the formal dogmas of the churches, and now she scoffed at the idea of spirits rapping on tables and tipping chairs. Others in the family accepted the new belief, and the disagreement within her family troubled Mary. She was eager to know the truth -- whether there was survival of the spirit after death. She prayed, earnestly and repeatedly, that she should be given the truth.

One day a great force took control of Mary Folsom. She was thrown to her knees, and she started to speak in a strange language which no one could understand. She was controlled by a force she called "The Power," and it was to direct her activities for the rest of her life. It told her she had been selected to act as an example to show the people of the earth what an individual could accomplish if he developed his spiritual nature. She was told that she would be helped to heal the sick, to speak in strange tongues, to predict the future and to instruct people as to how they should conduct themselves so as to hasten their spiritual development.

The Power told Mary that as preparation for her work her body must be purified. For one year she must live on bread and water. She was told this would not be a proper diet for others, but it was necessary for her for a time. She was told she must not touch any stimulant, such as coffee. One cold winter day she thought how much she would enjoy a cup of coffee, and she said to those with her that she did not think one cup of coffee would hurt her. She poured herself a cup and raised it to her lips. Some unseen force dashed it from her hand, shattering the cup against the wall. The Power came to her and said: "I told you not to drink coffee." That ended her desire for coffee.

Mary's gift of healing became much more impressive. For example, shortly after the Power first came to her she was asked to see a woman who had a breast cancer. Almost as soon as the treatment began a sore formed on Mary's hand. The cancer disappeared from the woman's breast, and after a few days the sore disappeared from Mary's hand. This was typical of the cures she was to effect during the remainder of her life.

Word of Mary's healing power soon spread, and many people came to her for help, which she gave gladly, never charging for her services. She was always ready to go to anyone who needed help. My father has told me of the times when she would wake him during the night, telling him to hitch the horse to the carriage because she was needed. They would start off into the night with no idea of their destination. She would tell him the direction to take and where to turn, finally saying, "That is the house." On arrival, they would find someone who was very sick, and Grandmother would treat and cure the patient.

Anson E. Hayes, my grandfather, was a descendant of George Hayes, who emigrated from Scotland to Windsor, Connecticut about 1680. Grandfather was born in 1813 at Granby, Connecticut. He was a cousin of President Rutherford B. Hayes. When the Erie Canal was built he worked on it as a construction engineer, moving to Buffalo. After the canal was completed he moved to Waterloo, where he purchased a farm not far from Mary's home. On May 14, 1854 Mary Folsom and Anson Hayes were married. Three sons were born of the marriage: Everis Anson, Born March 10, 1855; Jay Orley, born October 2, 1857; and Carroll, who died as a child. In 1867 the family moved to Madison and continued to live in Wisconsin, except for a trip to California in 1872, until after Mr. Hayes' death in 1873.

After the move to Madison Grandmother continued her work as a spiritual teacher and healer. She traveled to many communities, and she developed a very loyal and devoted following, so much so that when the family later moved to California and built their home at Eden Vale many who loved her and believed in her followed her to the Santa Clara Valley and established new homes where they could be near her.

Many Wisconsin doctors knew of Grandmother's work, and some sent their patients to her when they felt they could not cure them. One whom she treated was Miss Ellen Chynoweth, a teacher at the University of Wisconsin and a member of a prominent Madison family. She was soon cured and back at work and was so impressed with Grandmother that she wanted her friends to know about her and her power. Among those she introduced was Judge William Penn Lyon, an associate justice and later chief justice of the Supreme Court of Wisconsin. Another was Col. William F. Vilas, later a United States Senator and Cabinet Officer.

In 1873 Everis and Jay entered the University of Wisconsin

and upon graduation they commenced practicing law in Madison. In 1882 Col. Vilas recommended them to Col. John H. Knight, who was planning to open a law office in Ashland, a town on Lake Superior in Northern Wisconsin, telling Col. Knight that it did not matter which brother he took. Col. Knight was favorably impressed and told the brothers they could decide which should go. On Col. Vilas' advice, they decided to accept and decided Jay should go, since Everis had been longer in touch with the clients of their Madison office. So Jay moved to Ashland and made such a success of his law practice that soon he had more work than he could handle alone. It was decided that Everis should close the Madison office and go to help him. The brothers were together again. Soon their mother moved to Ashland to make a home for them.

The family continued to live in Ashland until 1886 when they moved to Hurley, Wisconsin, to be near iron mines they were developing. (I shall have more to say about the mines later on.) Meanwhile, in 1884, Everis was married to Nettie Louisa Porter of Madison, and she became the mother of Sibyl, born in Ashland, and Anson and Harold, born at Eden Vale. She died in 1892, and before I arrived on the scene my Uncle Everis had married Mary Bassett, a Wisconsin girl, born in Whitewater, who had been a school teacher in Whitewater and in Denver and Greely, Colorado. She became the mother of Phyllis, Loy and Folsom, all born at Eden Vale.

After Ellen Chynoweth's cure her family became so devoted to Grandmother that they moved to Ashland, and later to Hurley, to be near her. Thomas B. Chynoweth, a brother of Ellen, was later to become Grandmother's husband.

Judge Lyon and his family had also become greatly interested in Grandmother and her work and in the spiritual principles she taught. His daughter, Clara, visited her friend, Ellen Chynoweth, in Ashland and saw much of the Hayes family.

In the winter of 1885 the Power told the brothers they needed a rest and must leave for a month in the South. They protested that they could not leave the mines, but, as always, they obeyed orders. The party included Ellen Chynoweth and Clara Lyon and her mother. Soon after returning home Clara Lyon and Jay O. Hayes were married. Their children were Mildred, Lyetta, Elystus and Miriam, born at Eden Vale, and Orlo, born at Ironwood, Michigan.

THE LYON FAMILY

Perhaps I should tell something about my mother's parents.

William P. Lyon was born in 1822, descended from pioneer stock with a Quaker background. His formal schooling ended when he was twelve, but he became a school teacher at fifteen. When he and Grandmother Lyon lived with us at Eden Vale I thought he had the best all around education of anyone I ever knew. He was a lifelong student.

Grandfather's mother, Eunice Coffin Lyon, was a descendent of Tristram Coffin of the well-known Nantucket whaling family.

Grandfather's family lived in Chatham, New York. In 1841, when he was eighteen, they moved to Hudson, later called Lyons, Wisconsin. At first Grandfather was kept busy with farm work, but he decided he would rather be a lawyer. He started on his own, studying law books and then studied in a law office. He was admitted to practice in 1846 and was soon appointed a Justice of the Peace in Lyons. He later moved to Burlington, near Racine, where he became town clerk and Justice of the Peace. The next move was to Racine, where he was elected District Attorney. Then he was elected to the legislature and was made Speaker of the House.

When the Civil War struck in 1861 a company of volunteers was organized in Racine. Grandfather was made their Captain. He was promoted to Colonel in 1863. The war took him into many of the southern states. In 1865, while he was still with his regiment in the south, he was elected to a Circuit Judgship, and he took office upon his return to Racine after being mustered out of the army. In 1871 he was appointed to the Supreme Court of Wisconsin, and he served as a Justice and later Chief Justice for many years.

In 1847 William P. Lyon married Adelia Duncombe of St. Thomas, Ontario, Canada, whose brother had moved to Lyons to practice medicine. She came from a family of doctors and was visiting her brother when she met Grandfather.

If I may digress, in 1918 I was an Infantry Lieutenant stationed at Camp Fremont in Menlo Park, California, and my regiment was moved to Long Island to embark for France. We travelled by special train, and part of our route took us through Canada from Detroit to Buffalo. The train stopped in St. Thomas to permit us to exercise our men. I marched my platoon through the town, going at random, thinking of the Duncombes, and I glanced at the door of a house I was passing and saw a brass plate inscribed: "Dr. Charles Duncombe." Then, back to the train and on to New York.

Judge and Mrs. Lyon had two children who survived childhood, my mother Clara, and William Penn Lyon Jr. Their home in Madison was on a hill that sloped down to Lake Mendota. The University of

Wisconsin was situated just across the lake. I still have pleasant memories of the months in 1900 that my parents and their children spent with Grandfather and Grandmother in Madison. There was fishing and swimming in the lake, and in winter we could slide down the hill on our sleds.

In 1954, in a nostalgic mood, I persuaded my wife Evelyn to join me on a motor trip through Michigan and Wisconsin. We drove from Detroit north to the Upper Peninsula and then west through Ironwood and Hurley, inspecting the sites of the old Ashland and Germania mines. After detouring through Minnesota we drove to Madison. Before leaving, we had made inquiries as to hotels in Madison and were told that we should stop at the Edgewater Hotel. As we approached the hotel the neighborhood seemed familiar, and when we arrived we found that the hotel was on the spot where my grandfather's home had stood. We enjoyed our stay in Madison.

Grandfather retired from the Supreme Court in 1894 while still in good physical and mental condition, saying he did not want to remain until he overheard some young lawyer say: "Well, the old judge is certainly slipping." Shortly after his retirement Governor La Follette appointed him to the State Board of Control, the board charged with administering the state's penal and charitable institutions. He served as Chairman of the board until 1903, when he retired and moved with Grandmother to Eden Vale.

IRON MINING

When the Hayes brothers moved to Ashland many people were investing their money in the fine timber land which adjoined the town. The brothers also bought some timber property, intending to extend their purchases as opportunities arose and money became available. After their mother joined them the Power came to her one day and told her to tell her sons not to buy any more timber land; that there was a great undeveloped iron ore body to the east, and they should invest their money there. They knew nothing about any iron ore, but they were told that a client of theirs across the street knew about it and they should ask him.

On checking with their neighbor, Capt. Moore, they were told he had done a little exploring about forty miles to the east and had found indications of iron ore, but nothing conclusive. They joined with him in purchasing an option to explore a tract of land in the area.

Earlier explorations of this land by other miners had been fruitless. A geology professor at the University of Wisconsin told them not to waste their money. This was the Gogebic range, and he said he had examined it with the U. S. Geological survey, and because of the structure it was impossible that there could be enough iron ore present to make it profitable to mine. Nevertheless, in 1883 they started exploration and eventually developed the Ashland mine in what is now Ironwood, Michigan, and the Germania mine in Wisconsin just across the Montreal River in what is now Hurley. Many difficulties were encountered before substantial quantities of ore were discovered. Their agreement with the property owners, J. M. Longyear of Marquette, Michigan, and Frederick Ayer of Boston, provided that when their exploration had uncovered 10,000 tons of iron ore they would be entitled to receive a lease of the property. This was accomplished in 1885.

During all the years of the iron mining operations, Grandmother's directives guided all activities. She never went below the surface, but she told her sons where to sink shafts and when and where to shift directions. When obstacles arose, such as flooding of the mines and fires underground, she gave instructions as to how to overcome them. Her sons unquestioningly followed all of her directions, and she was never wrong.

Through Grandmother, the Power told her sons that the iron mines would provide them with all the money they would ever need and would provide funds to help her in her spiritual work.

By 1886 the mines were producing good quantities of ore, and in that year the family built a home in Hurley and moved there so as to be near the mines. The Chynoweth family moved there also. Grandmother continued her work, healing sick and injured miners and holding family meetings in which the spiritual truths which had been revealed to her were discussed.

The workers in the mine were illiterate, and Grandmother insisted that a school should be built where they could be taught to read and write and could learn arithmetic so that they could keep track of their wages and expenses. The school opened with all of the Hayes family acting as teachers, helped by Ellen Chynoweth and others who had followed the family to Hurley. Among the pupils were some Swedes who spoke very little English. None of the teachers spoke Swedish so Grandmother acted as their teacher, and soon they were reading and writing English. The fact that she had never learned the Swedish language was no obstacle, because the powers given her included the ability to converse in any language. Although she had never studied or learned any language other than English, she had no difficulty in communicating with anyone in any language.

My father has told me of an incident that occurred in 1872 when the family first traveled to California. As the train was crossing the plains it was stopped by a band of Indians. They were not hostile but obviously troubled by something. Various people on the train who knew Indian dialects tried to question them but could not understand their responses. Finally Grandmother said, "Let me try," and she started to speak in an Indian dialect. A squaw was pushed forward. She understood and answered, saying that their hunt had been a failure and they were starving. They were given food and the incident ended. The squaw said she had married into the tribe from another tribe which spoke the language Grandmother used.

The miners were so impressed with Grandmother and her work that they were invited to attend the family meetings and many became her devoted followers. Those who finished school and wanted more education were helped to go farther and six were given a college education.

For some years the mines prospered. Their fame spread, and in 1882 the brothers were offered $1,000,000 (quite a sum in those days) for the Ashland mine. The Power told them to refuse the offer; that they would be selling their birthright, that the mine was just beginning to show its real value.

In 1887 the family decided it was time to establish a permanent home, feeling that a mining community was not the best place to raise children. They thought of returning to Waterloo, but the Power told them that before making a decision they should take another trip to California. As always, they obeyed the Power's instructions. Their travels took them to San Diego, Los Angeles, Santa Barbara and other parts of California before they reached the Santa Clara Valley. Finally they decided upon the area now called Edenvale, influenced larely by the profusion of oak trees growing there.

The property they selected, and purchased, was a part of the

Santa Teresa Rancho, an old Spanish land grant which was granted to Jose Joaquin Bernal in 1834 by the Mexican Governor of California. It consisted of a large grove of oak trees surrounded by land suitable for farming. An old frame house stood on the property, not luxurious, but large enough to shelter the family until a new home could be built.

After the family moved to California frequent trips were made to the mines, sometimes by one brother, sometimes by the other, and sometimes, if a crisis arose, by their mother.

In 1893 a great money panic and depression hit the United States. All business was paralyzed. Railroads and banks went into receivership. There were no purchases for iron ore. Nevertheless, mining operations were continued at the Ashland and Germania mines until over 200,000 tons had accumulated in stock piles. It was necessary to borrow money to carry on the work, and the Hayes brothers personally signed the notes. Business conditions did not improve and finally the creditors moved, forcing the sale of the iron ore at prices that produced very little money, and then taking title to everything the brothers owned. Eden Vale went with the rest, although the family was permitted to live there.

During this time Grandmother repeatedly assured her sons that none of their property would be permanently taken from them. She encouraged and advised them, but the Power gave them no specific instructions as to what chould be done to stop the apparent disaster.

In 1898 the national economy began to improve. With financial help from some of their friends the brothers regained possession of the mines. The creditors who had taken possession of the mines had continued mining operations, but so unskilfully that much damage was done to the property. This was pointed out to Mr. Longyear and Mr. Ayer, the lessors of the property. They were very friendly to the Hayes brothers, and they commenced legal action to establish the fact that the creditors had violated the terms of the lease, and to remove them from the mines. This succeeded; the lease to the Hayes brothers was reinstated, andthey resumed mining operations.

Soon the mines were producing satisfactorily, and the money derived from the sale of the ore enabled the brothers eventually to pay all of their debts and to regain ownership of all their property, including Eden Vale. Although their creditors could not have collected much of the indebtedness, over $650,000 having run so long that it was barred by the statute of limitations, every dollar was paid. I first learned of this when told of it, years later, by a San Jose banker.

At one stage of their difficulties a friendly creditor suggested that the brothers go through bankruptcy. They refused, Father saying that nobody was going to be able to tell his children that their father took advantage of the bankruptcy laws.

One of the brothers' largest creditors was John D. Rockefeller. He always treated them with consideration, never pressing them, and allowing them to pay the debt at their convenience.

Explorations at the mines continued into 1901, at which time a large quantity of ore was in sight. The family was becoming anxious to spend more time in California, so they sub-let the mines to the Cleveland Cliffs Iron Company. They received a cash payment large enough to enable them to pay all remaining debts and were paid a royalty on all ore shipped from the property. This was adequate for all their financial needs.

Off to California!

LIFE IN CALIFORNIA

THE EDEN VALE HOME

The property purchased by the family for their new home was situated on the floor of the Santa Clara Valley, about six miles southeast of San Jose. The Monterey Road (El Camino Real) bordered it on the north. Later this became Highway 101. The main San Francisco-Los Angeles line of the Southern Pacific Railroad ran between the property and the Monterey Road.

The original purchase contained 640 acres, but parcels which were not considered essential were gradually sold off. The acreage had been reduced to 131⅓ acres when the home was finally sold, in 1954.

A site was selected where the home was to be built, and about 50 acres near the home site was set aside for a park. Roadways were laid out to provide easy access to all parts of the property, among them Palm Avenue, Chynoweth Avenue and Hayes Avenue, which are now public roads. Palm Avenue was named for the palm trees which were set out on each side of the raod. It started at the Monterey Road at the spot where the Eden Vale railroad station was later situated and ran south across Chynoweth Avenue to Hayes Avenue. These two roads were in back of the main property running east and west, giving access to other roads in the neighborhood.

The palm trees on Palm Avenue had to be watered to keep them alive, and eventually they were neglected. After their death Palm Avenue became Edenvale Avenue.

The name "Eden Vale" was chosen by Grandmother, and she thought the grounds surrounding the home should be beautiful. The Del Monte Hotel near Monterey was world-famous for its beautiful grounds, and the landscape artist who had planned Del Monte was secured to lay out the lawns and gardens at Eden Vale. He planted many varieties of trees, shrubs and flowers, creating a park of outstanding beauty. Even today some of my older friends mention its charm to me, saying it reminded them of Del Monte. I suppose it should.

Naturally, the park attracted much attention, and many people drove out to see it. Grandmother established a rule that nobody should ever be turned away; that the gates should always be left open. Most Sundays in nice weather brought one or more groups to picnic in the park.

Among other roads in the park were Redwood Avenue, lined with semperviren redwoods; Century Plant Avenue, with century plants, of course; and Cypress Avenue. They were beautiful in my youth, but eventually the redwood trees decided they missed the fog from the ocean and died one by one. The century plants lived out their lives - twenty years instead of a hundred - and they shot stalks

into the air, produced their seeds, and died.

In later years my mother had a special garden arranged near the house, and she spent much time there at her painting. Near the garden were some blue Italian cypress trees. One day we took some good friends of ours, Ines and Armando Pedrini, to Edenvale. He was A. P. Gianinni's right hand man at the Bank of America, living in San Francisco, but they had a country estate in the Los Gatos hills. Both were of Italian ancestry, with their roots in Tuscany. When Ines saw the cypresses she was ecstatic, saying they were just like those in Tuscany, and that she had never seen the trees anywhere else. We got cuttings for her and she planted them in a show place near their swimming pool at Los Gatos. They now are beautiful, big trees, and every time I go to her home Ines, now Mrs. John Boden, takes me to the swimming pool to admire them.

When the family first moved to Eden Vale they occupied the house then standing on the property. We called it the "Old House." This served as their home until a new home could be built.

My memory of the first house built by the family is somewhat sketchy, since it was completely destroyed by fire in 1899 when I was four years old. This was the period when J. O. Hayes was busy at the iron mines, and his family was living in Ironwood and in Madison. Incidentally, Orlo was born at this time.

I do remember that the house was built of wood, with four wings, all connected by corridors. The general plan was much like that of the second house, which was built on the same spot after the destruction of the first. After the fire the family moved into the Old House and stayed there until the new home was completed.

When the new house was being planned Grandmother insisted that it must not only be fireproof, but that it must be substantial enough to withstand the strongest earthquake. The family knew nothing of earthquake danger, but Grandmother's advice was followed. The foundations were of concrete reinforced with steel beams, and the walls were of steel-reinforced brick. I femember watching the workmen lay the bricks and I think the walls were two feet thick.

We moved into the new home in November, 1905. I remember that our first meal there was Thanksgiving dinner. Less than five months later, in April, 1906, the great earthquake struck. I am told it was stronger in San Jose than in San Francisco. Many San Jose buildings were flattened, and few escaped sercious damage. The new home at Eden Vale suffered not the slightest structural damage, the loss being limited to china and bric-a-brac. There was not even a crack in any chimney.

The new house, like the one that burned, consisted of four

wings built in the shape of a Maltese cross, all connected on the ground floor by two intersecting marble floored corridors running from the front wing to the rear one and from the east wing to the west one. Each wing contained three floors and a basement, with a tower room above the third floor of the front wing. The basements were floored with concrete, and most of the other floors were concrete covered with wood. The exterior had stucco over the brick, and the roofs were of red tile. A concrete driveway encircled the house, providing access to the exterior doors of all the wings.

The front wing was planned for Grandmother, but she did not live to occupy it. She died in 1905, shortly before the house was finished.

The front door of the front wing opened onto a porte cochere which was covered with a red tile roof to protect those arriving and departing. The first floor contained a large reception hall, two connecting reception rooms, and a den which had been planned for Grandmother. All of these had tapestried walls. There was a large library with mahogany paneling and mahogany and glass cabinets for books. It was furnished with comfortable chairs and sofas, and two mahogany tables, one octagonal and one rectangular. I spent many happy hours there, and years later when I bought a home on Broadway in San Francisco it had a library that was a small replica of the Eden Vale library, mahogany cabinets and all. I put the rectangular table from Eden Vale in the place of honor. This house is now Stuart Hall, a boys' school.

I should say that when the Eden Vale home was sold all of the family members selected furniture to take to their own homes, drawing lots to determine the order of choosing, and continuing until everything was gone. The mahogany table was one of my choices.

The second floor of the front wing contained five bedrooms; a large one planned for Grandmother, an adjoining room planned for Sibyl which she occupied for many years, and three others, two of which we called the Large and Small Tapestry Rooms. The third floor also contained bedrooms, smaler and less luxurious than those on the second floor. My mother converted one of these rooms into a studio where she did much of her painting.

The front wing also had a fourth floor tower room. It was never furnished, but it made a fine observation post. Also, it provided access to the roofs, which was a wonderful thing for young boys.

An elevator ran from the basement to the third floor, and since the second floors of the front, east and west wings were connected by a corridor, this was a great convenience for the older people.

Because of the thick walls and heavy construction, the interior temperature of the house was little affected by changes in the weather. It was cool in summer and warm in winter. The basements were excellent places to store perishable fruit. I remember the front basement with dozens of fruit trays on saw horses, loaded with apples and pears, taking their time about ripening.

The east and west wings were occupied by the J. O. and E. A. Hayes families, respectively. Each had a front and a side entrance, the front doors opening on large uncovered porches, and the side doors on enclosed porches, screened to keep out the wild life. Above the side porches there were other porches with access from the bedrooms, and these were sometimes used for sleeping porches.

The west wing, the E. A. Hayes side, had bedrooms on the second and third floors and a bedroom on the first floor, which was a convenience when needed for an elderly person. The first floor also had a living room, a den, and another all purpose room. The family bedrooms were on the second floor.

The J. O. Hayes wing was similar, but differed somewhat in room arrangement. The family bedrooms were on the second floor and other bedrooms on the third. The first floor contained the living room, a den or office used by both Mother and Father, a children's play room which we were allowed to clutter up with our possessions. It also had a bedroom, which was occupied for many years by Grandfather and Grandmother Lyon.

The second floor of the rear wing had a sitting room and bedrooms for the domestic help. The third floor was a loft, convenient for storage. The first floor contained the kitchen, butler's pantry, the maids' sitting room and dining room, and the family dining room, divided into two parts separated by an archway. Often the family dined at two tables, but always at the same time. When the family was small, only one table was used. If two tables were needed, the E. A. Hayes family occupied one and the J. O. Hayes family the other. Guests, often quite numerous, were allocated to either or both. Even when the two tables were used the feeling was always that of one family, dining together.

The corridor leading to the dining room was called the Conservatory. It was glassed in and wider than the other corridors, providing room for growing plants. The marble floor had a recessed space in the center containing a water faucet to which a hose could be attached. The Conservatory provided a most pleasant approach to the dining room.

The basement of the rear wing was used for the storage of household equipment and had space for fruit, vegetables and kitchen supplies. It had a milk separator, where whole milk

became skimmed milk and cream. There also cream was churned into butter.

During the fruit season canning operations were very important, and in his later years, E. A. Hayes spent many hours in the basement working with the fruit.

Many marble bathrooms were scattered throughout the house, and most of the family bedrooms had separate bathrooms. This was a rare luxury in those days.

THE FARM

The Eden Vale home was about six miles from San Jose, the nearest place from which provisions and supplies could be secured. In those pre-automobile days that was a long way to go for groceries and meat. Therefore, as far as practical, everything needed was produced on the farm. This included fruit, vegetables, milk, eggs and poultry. Other necessities such as meat and ice were brought from San Jose by horse and wagon, trips to town being made weekly or oftener. Cakes of ice were a vital necessity to preserve the food. They were placed in large ice boxes, and they provided the needed refrigeration.

The land, other than the park, was used for vegetable gardens, fruit orchards, poultry yards, horse and cow pastures, and open fields where hay, grain and alfalfa were raised. In the days before tractors and gasoline engines, all these activities required man power. Many horses and mules were needed to pull the trucks and farm implements. Carriage horses and saddle horses were also needed for family transportation and for horseback riding. Because of these many activities, various farm buildings were needed. Perhaps some of them should be listed:

The Carriage Barn

This had stalls for the carriage horses and storage room for hay and grain. The many carriages were kept here, including an enclosed one we called "The Hack," with two inside seats facing each other and an elevated seat outside for the driver. It was used for formal occasions and was most impressive. The barn also contained a wash rack, much like the modern automobile rack. This was vitally necessary in the days of roads which were mostly dust or mud.

Later, when carriages were supplanted by automobiles, the carriage served as a garage. It had bedrooms upstairs which were used by employees.

The Work Barn

This building had stalls for the work horses and mules and room for the farm trucks and implements. It also contained a room where the cows were milked. A loft provided storage space for hay and grain. The horses and cows could be put out to graze in pastures adjoining the barn. The bull had a separate enclosure, and the children were warned to keep out.

To digress, I remember an incident one day when Orlo and Folsom were young boys. I saw them with Charley, the milk-man, saddling the bull in the barnyard. I asked them what they were doing, and they said they were going to ride the bull. Always the spoil-sport, I said I would not allow it. Charley asked if he could try, and I said he was old enough to decide for himself.

Charley mounted, and the bull took off, heading for a shed which had only a few inches of clearance above the saddle. Charley managed to fall off just in time, and the bull kept going at full speed through a barbed wire fence, across the pasture, through another barbed wire fence, across Chynoweth Avenue and into a neighbor's yard. There were no injuries except to the bull, who died of a heart attack the next day.

The Granary

This building was used for the storage of farm produce, such as wheat, dried fruit and other non-perishables.

The Boarding House

The farm workers were given three meals a day here, at 6:00, 12:00 and 6:00. A cook and helpers cooked and served the meals, and every effort was made to be sure that the men were well fed. Quite a large crew of men was needed to work in the orchards, fields, gardens and park and to care for the various animals. Some were housed in upstairs rooms of the various buildings, and the overflow lived in a long, narrow, single storey bunk house.

The Tank House

Water for domestic use, for irrigation and for the gardens was supplied by two wells. At first the power for pumping the water was furnished by windmills, and a tall tank house with water tanks high off the ground served as a storage place for the water until it was needed. Pipes carried the water to all buildings, including the home, and to all parts of the property. Gravity provided the propelling force. Later gasoline driven pumps became available to lift the water from the wells to the storage tanks.

The Greenhouses

Two glassed in, heated greenhouses were used to bring delicate young plants and flowers to a stage suitable for transplanting to the gardens. There was a adjoining lath house and neighboring beds where the young plants could be fertilized and protected.

Poultry Houses

Shelter was provided for the birds, principally hens, but also ducks, geese and turkeys, used to provide eggs and meat for the tables. Other fowls were allowed to range. I remember peacocks, pheasants and guinea hens. Also, Orlo and Folsom had a good sized pigeon raising operation for a time, housing the birds in their own cages. There was also a large outdoor cage where many canaries were kept.

In the early days the hens hatched their own broods of chicks, but later incubators and brooders were installed, and the chicks

were raised as orphans. When Orlo was in high school he took over the poultry operation, and it provided him with an income for several years.

The Woodshed

Every winter there were casualties among the oak trees, and often other trees fell or had to be removed. Many eucalyptus trees had to be cut down. The trees were sawed into convenient lengths where they fell, and the moved to the woodshed to be converted into fuel for the many fireplaces in the home. This provided excellent exercise for the energetic. E. A. Hayes spent many hours at this work, as did Grandfather Lyon until the years put him on sidelines. The rest of us worked out there from time to time. After the wood was sawed and chopped into the proper size for the fireplaces it was stored in the woodshed until it was thoroughly dired.

The Keesling Cottage

This house, situated at the edge of the park, was originally occupied by Horace G. Keesling and his family. He was a brother of Francis V. Keesling, later Lieutenant Governor of California and president of West Coast Life Insurance Company. Horace Keesling was superintendent of all farming operations. Later the house was used by Anson, after his marriage to Marian Darby, and later still by Folsom and Lorraine.

The Chapel

The Chapel should be mentioned, although it was not a farm building. It was built on the edge of the field across Palm Avenue from the residence, set in a small park of its own. A half-circular driveway, beginning and ending at Palm Avenue, provided ingress and egress. The driveway was lined by a hedge, with willow, pepper and cypress trees. The park contained other varieties of trees and shrubbery.

The main floor of the building was the room where meetings were held. The basement was outfitted as a school room and classes were held for the eleven Hayes children and for others living in the neighborhood. It was a one room school, but a competent teacher was provided, and each child received individual attention.

The School House

A one room school house was built near the Old House after the Chapel burned, and it was used for the education of the younger generation while the family occupied the Old House.

The Garage

After the automobile became the principal means of transportation a twelve car garage was built near the house. It had a red tile roof, and the stones for its walls were taken from the ruins of the chapel, which had burned. The stones had provided the foundation for the chapel.

The Crops

Prunes and apricots were the fruits which were raised commercially in the orchards. The prunes were allowed to fall to the ground, then picked up by hand, the pails being emptied into fruit boxes. Horse-drawn trucks moved them to a shed where the boxes were emptied into a big dipper. The prunes were submerged in a preserving solution, and then spread on trays to dry in the adjoining field. This field produced a hay crop which was out of the way before prune harvest time. After drying, the prunes were sacked and taken to the packing house.

Apricots were picked ripe from the trees, hauled to a cutting shed, cut and pitted, placed on trays, wheeled into a shed where they were subjected to sulphur fumes, and then set out to dry. Some of the crop was canned for family use, but the rest was dried.

As the production of prunes and apricots increased in the Santa Clara Valley many of the neighbors planted orchards. E. A. and J. O. Hayes decided it would be a convenience to the neighbors, as well as a benefit to themselves, to build a packing house where the dried fruit could be packed in boxes and prepared for marketing. A packing house was built near the railroad station, and neighboring farmers delivered their fruit to the plant. The family operated it for a number of years and then sold it and adjoining land to Richmond Chase Company, who continued to pack dried fruit there for many years.

Much of the land at Eden Vale home was devoted to orchard, including family orchards near the main residence and the Old House. There were also pastures and pens for the animals and poultry. The balance of the land was used to produce hay, grain and alfalfa needed to feed the live-stock. In the early spring, before the open fields were cultivated for planting, they were beautified by a profusion of mustard, poppies and lupin.

The alfalfa was cut with a mower, pitchforked into a truck and hauled to the barn. The hay and grain required different treatment.

When the grain which was to be used for hay - oats, barley, and sometimes wheat - reached its full growth, it was cut while still green. It was raked into rows, then as it dried it was collected into haycocks about three feet high, and finally stacked into large haystacks, perhaps ten or twelve feet high. Then it was ready for the hay-balers, nomads who travelled from farm to farm with their baling equipment. They compressed the loose hay

into bales, secured with baling wire. The bales were left in piles to be moved to the stables. The motive power for the hay baler was a horse, traveling endlessly in a circle around the machine.

If the wheat or barley was to be used for grain, it was allowed to grow until the seed was thoroughly matured. Then the dry stalks were mowed and raked into piles, awaiting the arrival of the nomadic threshing crew. They brought their thresher, the grain went in, the straw was blown out into the atmosphere, and the grain came out neatly sacked.

The Deer Park

Perhaps I should mention the deer park, situated not far from the carriage barn. The deer attracted great attention, especially from the children, but a time came when the bucks got to fighting - to an excess, in the opinion of the elders - and they were shipped to Alum Rock Park. We children occasionally visited them there.

At a corner of the deer park was a shed used for storage of tools and implements. After the departure of the deer it was turned into a home for an elderly gentleman with a magnificent white beard who spent his entire working time trapping gophers. This was important work, because the gophers were very destructive to the plant life. We called him Uncle Gopher, and he always welcomed us when we called on him, telling us fascinating stories of his early life. I do not remember them now, but when I was a freshman in college I used him as the subject of a composition in an English course. It resulted in the only A+ I ever received in English.

A great variety of trees, shrubbery, flowers, fruits and vegetables grew at Eden Vale. I shall not attempt to list everything in the park, but will make an effort with the fruits, nuts and vegetables. There were a number of different varieties of many of the fruits, such as peaches, grapes, pears, apricots, plums and cherries, but I shall not go into that.

Nuts

Almonds, English walnuts, black walnuts, chestnuts, pecan trees (but the nuts never matured).

Fruit

Peaches, pears, apricots, cherries, plums, prunes, apples, figs, loquats, nectarines, quinces, persimmons, grapes, pomegranates, olives, dates, oranges, lemons, grapefruit, watermelons, cantaloupes, strawberries, raspberries, blackberries, loganberries, primus berries, currants, cranberried, gooseberries, mulberries and elderberries.

Vegetables

Peas, corn, beets, string beans, lima beans, carrots, radishes, celery, asparagus, cabbages, cauliflower, Brussels sprouts, broccoli, cucumbers, peppers, egg plant, salsify, Irish potatoes, sweet potatoes, onions, garlic, parsnips, turnips, spinach rhubarb, tomatoes, chard, artichokes, lettuce, parsley, pumpkins, Hubbard squash, summer squash, mint sage and horseradish.

RELATIVES AND FRIENDS

During the years following the establishment of the home at Eden Vale quite a colony of the relatives and friends of the Hayes family moved into the neighborhood. Many of them, devoted believers in Grandmother's teachings, moved from Wisconsin to be near her. Among the relatives were:

Uncle Nathan Hayes, brother of Grandfather Hayes, who lived near Rocky Point, about a mile from our home. He died when I was quite young, and I remember him chiefly for his flowing white beard.

Aunt May and Uncle John Wetmore, who established their home about a half-mile east of ours, across the Monterey Road. Aunt May was the daughter of Grandfather Hayes, the half-sister of Father and Uncle Everis. My strongest memory of Uncle John is of his magnificent beard.

Uncle Will and Aunt Nellie Lyon lived on a farm adjoining the Wetmore home, about a mile from ours. Uncle Will was my mother's brother, and Aunt Nellie was the Ellen Chynoweth mentioned above. They had a son, William Penn Lyon III, called Penn as a youth, who was my senior by a few months. Naturally, we saw a lot of each other.

Various members of the Chynoweth family were frequent visitors at the Lyon home. Among them was T. B. Chynoweth, Aunt Nellie's brother, a prominent Madison lawyer. Some years earlier, in Wisconsin, his eyesight was failing and his health was bad. His mother, who had great faith in Grandmother Hayes, urged him to consult her. He went to Hurley, her home at the time, and through diet and treatment she restored his eyesight and general health. In 1889 he and Grandmother were married and they lived at Eden Vale until his death in 1891.

Over the years many relatives came to Eden Vale to visit. They would stay a few days, weeks or months, and sometimes years. There were Hayes and Folsom relatives, and Mother had many Lyon relatives. Aunt Mary's relatives were frequent visitors. Her mother, Grandma Bassett, lived with us for several years before her death, and was loved by everybody.

One lady came for a visit in the 1890's and stayed until her death at the age of 101. I never was quite sure where she came from, but she was a very nice lady and we called her Grandma Wright. She was born in 1799, and this so impressed me that I decided I would brag to my grandchildren that I had known someone born in the eighteenth century.

Two relatives who made Eden Vale their headquarters for a time were Myron Folsom, a cousin, and Charles Wooster, Aunt Mary's nephew. Both were helped through college and the Stanford

Law School and became practicing lawyers. Charles practiced in San Jose until his death. His wife was Clara Hemple, who had been our school teacher and lived at Eden Vale.

Myron Folsom went into a law office in San Francisco for a time, and then he moved to Spokane. He specialized in mining law and became well known as one of the top mining lawyers in the United States. He later became president of Bunker Hill and Sullivan Company, a mining and smelting firm. Later he moved to Burlingame, and we frequently saw him and his family. His children, Frances, Robert (Robin), Janet and Myron became our very good friends.

Guests at Eden Vale were not limited to relatives. It seemed that there always were friends of Grandmother or our parents, and later, of the children, staying with us, usually for a visit of unspecified length. They were always made welcome and treated like members of the family. The only suggestion of anything else that I can remember was once when I overheard Father ask Mother, "How long is she going to stay?"

The children of the family were always encouraged to bring their school and college friends to Eden Vale for a meal, a week-end or longer. Often we brought friends without advance notice, but there never was a reproach or any weakening of the welcome. New places would be set in the dining room, and there always would be enough food for everyone. Whoever was planning the meals must have provided a margin to allow for unexpected guests.

Often the guests were people of national prominence, but they all seemed to enjoy the informal, friendly atmosphere of Eden Vale living. I remember once when Colonel McClure, an Eastern journalist who was the founder of McClure's magazine, visited us. At dinner we were served corn on the cob, Golden Bantam, a delicious variety which had just been developed. By today's standards the ears were quite small. Mildred and Phyllis had been having a contest to see who could eat the most ears, the winner being determined by a count of the cobs on their plates. Sometimes they would reach thirteen or fourteen. With Colonel McClure present they did not wish to seem greedy, but they saw no reason why they should call off the contest. As a cob was finished it was tossed under the table, and the plates remained respectable. Everything was lovely until Sophie, the dining room maid, finished clearing the table. Then she came in with a platter, went down on her knees, crawled under the table, and came out in full view of everybody with a heaping platter of corn cobs. I do not remember who won the contest.

Grandfather and Grandmother Lyon had come to live with us at Eden Vale in 1903. On the occasion of their sixtieth wedding anniversary in 1907 it was decided that their relatives should be assembled for a celebration. They came from everywhere, east

and west. Two of Grandmother's sisters and four of Grandfather's came, with numerous cousins, nieces and nephews. Rooms were found for all of them. It was a most happy and unforgettable time for everybody.

One sidelight of the reunion involved Aunt Elmina, Grandfather's sister. Her bedroom was in the center house, and someone smelled tobacco in the vicinity. Tobacco, as well as alcohol, was taboo at Eden Vale. If guests were smokers, they were requested to go for a walk in the park to do their smoking. Mother explained that Aunt Elmina suffered from asthma. She thought smoking her pipe brought her relief. Since she was about eighty, a special dispensation was made in her case.

Grandmother Lyon died in 1910. Grandfather lived until 1913, dying at the age of ninety. His eyesight and hearing failed in his later years, but he remained mentally alert and physically active. He took daily walks for exercise, and on his ninetieth birthday he covered five miles. Mother thought he seemed tired and asked him why he had gone so far. He said, "So the children can brag about it."

MARY HAYES CHYNOWETH

During her lifetime Grandmother Hayes was the center around which the Eden Vale establishment revolved. She was never demanding or domineering, and I cannot remember ever hearing her give an order to anyone. She was always sweet, loving and gentle, and most considerate of everyone. She dominated because of the great powers that had been given her. The others in the family considered her infallible. Her advice had always been sound and her predictions had always proved accurate.

Grandmother devoted her life to helping others. She held meetings to tell others of the spiritual truths that had been revealed to her by the Power. She treated and healed hundreds of people who came to her from everywhere. Mrs. Clay in her biography of Grandmother states that Tuesdays and Fridays were designated as treatment days. So many people came that a limit of 150 people per day had to be established, many having to return a second time. Mrs. Clay says that in a two year period over seven thousand people received treatment. Others living at a distance wrote to her, asking for her prayers, and she received many letters from them telling of the efficacy of the prayers.

Of course this was before the adoption of the strict rules against practicing medicine without a license. If today's laws had been in effect Grandmother would probably have had trouble with the authorities.

Grandmother never charged for her services as a healer. Sometimes a grateful patient who had been cured would insist on making her a gift, and any money so received was used to further her spiritual work.

Grandmother had the gift of prophecy, but she was not indiscriminate in her use of it. She was critical of run-of-the-mill fortune tellers, and said that her gift should be used only if it would serve some useful purpose; for example, to help someone to avoid a dangerous situation. She told us not to attend seances, because they often attracted undeveloped spirits, and the advice they gave could be harmful. She told us not to play with Ouija Boards.

My father once told me of an occasion when his mother was persuaded to attend a meeting of spiritualists. Soon the rappings and the table tippings began. The various mediums were having their say. Grandmother said nothing. Then a voice from one of the mediums said: "The Great Spirit is coming. We must go." There was silence. Then Grandmother started to speak.

I remember hearing the Power speak through Grandmother when I was a boy. Her eyes would close and she would start speaking in a tongue unknown to any of us. After a time she would stop, open her eyes and translate what she had said.

Over the years many linguists came to listen to her but none was ever able to identify the tongue. It was my guess that the language was an ancient one, spoken by the Power during his life on earth, a language long forgotten.

Perhaps Grandmother's greatest work was as a teacher. When the Power first came to her he told her she had been selected to demonstrate the tremendous potentiality existing in every human being. She was told that she was to become a spiritual teacher, helping those who were interested in developing spiritually so as to lead better lives.

At Eden Vale Grandmother held regular meetings on Sunday mornings and Wednesday evenings. After 1891, when the Chapel was built, the meetings were held there. Later, after the burning of the Chapel, the meetings were held at the Unitarian Church in San Jose, opposite St. James Park. There was always music, with hymns sung by everyone and usually solos by talented singers. I especially remember the mixed quartette. The tenor was Uncle Will Lyon and the basso was E. K. Johnston, editor of the Mercury, both of whom had fine voices, as did the ladies.

Grandmother always gave a talk, or sermon, discussing spiritual truths as they had been revealed to her. Sometimes other members of the family or others of her followers would also speak.

Each week before the meeting a Sunday School class met. It was attended by the children of the family and others who were interested in Grandmother's principles. Before each meeting a few of the children were designated to write essays to be read to the class. Others were chosen for the next week. They took turns, so everyone had his chance. The subjects assigned were selected to impress the children with the importance of proper conduct. Typical ones were "Honesty," "Unselfishness, "Kindness," "Truthfulness," "Helping others." I am sure we received some benefit, at least while we were writing the essays.

Much has been written about Grandmother's principles, and I shall not try to do more than give a brief summary of them as I understand them:

Man has a physical body and a spiritual body, the physical body being necessary for the support of the spirit. The physical body is most valuable to the spirit if it is healthy, and a proper diet is very important. There should be a balanced diet, with plenty of fruit and vegetables. Fatty meats and stimulants, such as tobacco and alcohol, should be avoided.

There is a spark of God in every living creature, and there could be no life without it. The great purpose of every man's life is to develop this spark, and thus to improve and strengthen his character. He does this by overcoming weaknesses, resisting

the temptation to do things he knows to be wrong, never yielding to anger, and trying to do what he can to help others. This does not mean he should indulge others, but he should be ready to encourage those who are trying to live better lives.

As a man eliminates his weaknesses (I do not remember Grandmother ever referring to them as sins) the spiritual side of his nature develops and grows in strength. This is a continuing process, and the death of his physical body does not interrupt the process. Some individuals, such as Christ as portrayed in the Bible and other great religious teachers, including Grandmother, reach such a high stage of development in this life that they are receptive to, and helped by, the messages reaching them from higher sources. Some say these come from God, but it is easier for me to understand this if I think of it in terms of guardian anges.

My belief in guardian angels has grown over the years as the result of a number of things that have happened to me. I have emerged unscathed from dangerous situations through no conscious effort of my own. As an example, one year when I was on a vacation in Sierra City I started out to fish in the Yuba River above the town. After fishing upstream for a way I came to a place where the river ran between steep cliffs reaching to the water's edge on each side, leaving no room for walking. The only solution was to climb up from the river far enough to avoid the cliffs, then to walk upstream until the terrain was more level, and then to work back to the river. The sensible course to follow would be to go up to the road and walk along it, but that was a long climb. I looked at the face of the cliff and thought I saw a path I could follow to get past the obstacle. I faced the cliff and inched my way along, holding onto anything available. The path got narrower, and there was a straight drop of a hundred feet or more, with nothing but massive rocks below. At one point I was holding on to a protruding rock, looking ahead, and the rock broke off. As I started to fall I made a wild, blind swing, and my fingers slipped neatly into a crevice in the face of the cliff. The hand-hold enabled me to pull myself back and I was able to finish the trip, telling myself what a lucky young man I was.

The fishing in this spot was fine, and a few days later I went back. This time when I reached the cliffs I decided to be safe and to climb higher before trying to find a passage. I found a place that looked all right, and I started off. The path narrowed, and I inched along, facing away from the cliff. Then the rock crumbled under my foot, and I started down. A fallen pine log was just ahead of me, and instinctively I swung my hand blindly toward the log. It closed over the stub of what had once been a branch. I had not seen it as my hand reached out. The stub extended about three inches from the trunk and was just thick enough to provide a good hand-hold. After I regained my balance and my composure I examined the log and saw that there

was not any other branch or stub that could have helped me. I told myself that there must be something to the stories of the guardian angels and promised mine I would not trouble them again on that cliff. Twice was enough.

I believe everyone is watched by someone no longer livingin this sphere who is interested in his welfare. Many people are so engrossed in physical pursuits and distractions that they cannot be reached by messages and advice from these higher sources. If a man makes an effort to overcome his weaknesses, each success strengthens his spiritual nature and makes it easier for him to receive help.

Christ as portrayed in the Bible was given as an example for all men to follow. In his physical body he was a man like all other men. The high development of his spiritual nature was the thing that set him apart from the others. Grandmother said Christ as portrayed in the Bible was a picture of what everyone could and would become. She said few, if any, would reach this development in this life, but everyone would continue after death from where he left off here. He would be the same man, with the same personality, and he would have the same duty to overcome his weaknesses and to develop his spiritual life. Eventually he would have a spiritual rebirth and then would be able to perform all the so-called miracles of Christ.

Grandmother's spiritual development was such that she was able to perform these acts while living on the earth. She said she was given this rapid development to prove to humanity that such progress is possible. She said that she, like Christ, was no different from anyone else except in the degree of spiritual development and that the spark of divinity in her (and Christ) was present in everyone.

I do not remember that Grandmother ever defined or specifically described God. As I understand it, she taught that God is the life force in everyone and everything, the force that impels people to overcome their weaknesses and to develop their spiritual natures. God is the sum total of this life force in everything.

This summary of Grandmother's philosophy or religion may be overcondensed, but I hope it gives some understanding of her teachings.

I have told of the regular Sunday and Wednesday church services. Meetings were also held at home every evening after dinner. Hymns were sung, and sometimes Grandmother or some other member of the family would give a short talk. I particularly remember the singing. We were a musical family. Mother played the piano, and everybody sang. Father and Uncle Everis had fine bass voices. Of the children, Miriam, a soprano, and Phyllis, a contralto, were outstanding. We were a little weak

in the tenor department.

The home meetings continued after Grandmother's death, but after a time the program was shortened to the singing of two or three hymns. When there were guests they always joined in and they seemed to enjoy it.

In 1891 Grandmother commenced the publication of a magazine she named "The True Life." It was issued monthly and contained articles about her teachings. Many of them were taken from her sermons, which were recorded by a stenographer as she delivered them at the Sunday meetings. Others were written by members of the family or by others of her followers. The magazine went to subscribers living in various parts of the United States and Europe. There was much interest in the True Life in Denmark and France where different organizations concentrated their thinking on the True Life principles. Letters from many distant places proved that the magazine was reaching many people.

In 1903 as Grandmother neared the end of her life, some of her followers suggested that a formal church organization, the True Life Church, should be established. Grandmother had never favored such a move. She disliked creeds and dogmas and felt that an organized church might tend to move in that direction. However, her followers feared that when she was no longer with them her teachings might be forgotten unless there was an organization to carry on. She withdrew her objection, and the church was formed. At the first meeting 165 men and women signed the membership roll, but Grandmother was not among them. She had not lost her feeling about formalized religion. However, she continued to conduct the Sunday services, and she certainly wished success to the new organization.

Grandmother died in 1905. Her last words were, "I have never harmed anyone."

The True Life Church continued to hold meetings for many years after Grandmother's death. As long as her sons were able to carry on, the organization retained much of its vitality. Later, it gradually passed out of existence, but Grandmother's teachings continued to fill a vital need for many people. Extracts from her sermons, titled "A Thought for Today," were a daily feature of the San Jose Mercury until the newspaper was sold in 1952. Under Sibyl's direction, and with her financial support, Thoughts for Today were also broadcast each Sunday over a San Jose radio station, to cover the San Francisco Bay area and a Lodi station to cover the San Joaquin Valley. This work is now carried on by Mildred, Clare Berlin and Carroll Hayes. The coverage at one time extended to a Los Angeles radio station.

BUSINESS ACTIVITIES

When the family first moved to Eden Vale E. A. and J. O. Hayes were kept busy building their home, getting farming operations under way, and making frequent trips to the iron mines. After the mines were leased they found more time to devote to other activities.

The brothers had always owned their property jointly, doing business as E. A. and J. O. Hayes. Usually they acted through corporations in which each had a half interest. The Eden Vale property was owned by Hayes Chynoweth Company, a corporation. Their bank accounts were always joint, either being authorized to draw checks without the signature of the other. There was never any accounting as to which of them had spent the money. Their mother had suggested this arrangement, saying that it would demonstrate that brothers could pool their money, each drawing from the common fund for his needs, with complete faith that there would be no abuse of the privilege.

Gold Mining

In California at this time gold mining was still an important industry. With their mining background it was not surprising that the brothers should want to try their hands at it. Their first gold mine was the Rocky Bar, not far from Nevada City. I assume it was not a success because it was not in operation when I became old enough to be aware of what was going on.

Shortly after 1900 E. A. and J. O. Hayes bought the Sierra Buttes mine. It was situated on the slope of the Sierra Buttes above Sierra City. The mine was first opened in the eighteen-fifties by an English company, employing miners from Cornwall. When E. A. and J. O. Hayes took over, the mine consisted of nine levels, tunnels driven into the face of the mountain to reach the gold-bearing quartz veins or lodes. Most of the ore was extracted without the use of shafts, the rock being blasted from below and falling by gravity to the level of the tunnel, from which it was moved by mule-drawn tram cars out of the tunnel to a chute leading to a stamp mill. There the rock was crushed, freeing the particles of gold. The pulverized rock and gold was washed over plates on which mercury had been placed. The mercury picked up the gold and formed an amalgam, which was collected, placed in containers and melted. The mercury, being more volatile than the gold, evaporated. The fumes were collected, condensed, and the mercury was ready for reuse. The gold remained in molten condition, and when cooled it became a gold brick, ready to go to the Mint in San Francisco.

The tunnels of the higher levels had been blocked by cave-ins before E. A. and J. O. Hayes took over the mine, and they concentrated most of their efforts on work in the fifth and sixth levels, which were situated about a mile above Sierra City. Some work, mostly exploratory, was done in the eighth level. The ninth

level was right in town, close to the house used as a residence when the family was in Sierra City.

There were two mills at the mine, a twenty-stamp mill at the sixth level and a forty-stamp mill at the ninth level. The latter was situated below the main street of Sierra City just a few yards from the main residence (now Orlo's house). Sometimes one mill was used and sometimes the other, depending on circumstances. An aerial tramway equipped with ore buckets was used to move the ore from the upper levels to the lower mill when it was in use.

This was in the days before electric power could be purchased from a power company, and water power was needed to generate electricity to provide the power needed for mining and milling operations. Water was available in the lakes above town, in what is now a resort area. Run-off water was taken from the Upper and Lower Sardine Lakes, Packer Lake, Upper and Lower Salmon Lakes, and Summit Lake (now called Snag Lake). Dams were built at the lower end of some of the lakes, and the water was taken into a flume and carried around the side of the Sierra Buttes until it reached a point above the sixth level mill. It was then taken into a pipe that carried it down to the generator. There was enough drop from the end of the flume to develop the pressure needed to operate the generator.

Over the years a substantial amount of gold was taken from the Sierra Buttes mine, but I suspect that over-all more money was put into it than was ever taken out.

Later E. A. and J. O. Hayes bought the Star Mine in Tuolomne County. It was never profitable, but I know from personal experience that it produced some gold. One summer Father and I went up to the mine, going by train down the San Joaquin Valley, and then by horseback along a trail following the course of the Tuolomne River. The trail was narrow and steep, but it was a beautiful trip. When we left for home Father took a gold brick, which was the result of the latest clean-up, carrying it in his traveling bag. Train travel was deliberate in those days, and the train stopped at Tracy so that everybody could go to the lunch counter for lunch. Father told me to go, saying he was not hungry, and he stayed on the train guarding the gold.

Coal Mine

There were coal deposits in the area where Monterey, San Benito and Fresno counties meet. The Tightner Mine in that area had produced coal for some time. An opportunity came to buy the mineral rights on a large tract of adjoining property, and E. A. and J. O. Hayes could not resist. Oil rights were included in some cases. Nothing came of this, because a lot of money would have been required to open a mine, and there was no certainty that a market could be found for the coal. There never was any exploration for oil.

Foxhall Heights

This was a residential subdivision project in the Georgetown section of Washington, D. C., adjoining Georgetown University. While Uncle Everis was a member of the House of Representatives he bought the property, some of his Congressional friends participating. This is now some of the most valuable property in Washington, proving that his judgment was sound. The development dragged, however, and everything stopped during the depression of the nineteen-thirties. I finally negotiated the sale of the remaining lots to Georgetown University.

Hayes Labish Farms

A lady who lived in San Jose, Mrs. Miller, was a very good friend of our family. Through her father she had become the owner of property near Salem, Oregon, called Lake Labish. A dam had been built at the lower end of the lake, and at one time a lumber mill had been in operation at the site. During much of the year most of the land was under water. The trees and shrubbery in the area shed their leaves, and over the years a thick layer of leaf mold developed, resulting in very fertile soil. Because of the water, farming was impossible, but it seemed likely that if the property were drained fine crops could be produced.

Mrs. Miller felt it would be impossible for her to develop the property and she was anxious to sell. Father saw its potentialities and the challenge was more than he could resist. E. A. and J. O. Hayes bought the property, taking title in a corporation, Hayes Labish Farms. A manager was employed, the dam was removed, drainage canals were built to draw off the water, and eventually farming was commenced. Because of the richness of the soil the crop production per acre was much higher than average, and the operation was very successful for many years. Different varieties of vegetables were produced during this period, but the principal crops were onions and peppermint, which was distilled and sold as peppermint oil.

During their boyhood Orlo and Folsom had always been interested in farming. They did farm work at Eden Vale and also tried other ventures on their own. After Orlo finished college he went to Oregon to supervise the Lake Labish operation. After several years he decided he was ready to go into business for himself, and he returned to California. Folsom took his place at Lake Labish. The operation continued to be successful, and Folsom carried on until the property was sold.

Newspapers

After the move to Eden Vale, E. A. and J. O. Hayes gradually became involved in community activities. They soon found that local government in San Jose and Santa Clara County was controlled by corrupt political bosses. They felt they could not be completely happy in their new home unless this condition was changed. They

decided that a newspaper would be the best weapon they could have in a fight for honest government. Perhaps their mother suggested this, but I have no proof of it. Anyway, about 1900 they bought the Evening Herald, and a few years later, the Morning Mercury.

The Mercury (first called the Weekly Visitor) commenced publishing in 1851. It is the second oldest newspaper in California, the Sacramento Union being a few months older. In 1951 I was invited to attend a luncheon in Sacramento given to commemorate the Mercury's centennial.

Nothing is more disastrous to a corrupt politician than a full disclosure of all the facts concerning his activities and the Hayes brothers started a campaign to tell what was going on. After systematic and continued publication of the truth as to the conduct of the bosses their power was destroyed. The family then had a wholesome environment in which to live.

Many years later, when it was my responsibility to set the policy for the newspaper (then it was the Mercury-Herald), I was told that the Santa Clara County sheriff was taking bribes from gamblers. I felt I would be betraying my heritage if I did nothing about it. First I must be sure of the facts. Through a friend who had acted as attorney for the Federal Bureau of Investigation, I secured the services of a former FBI man, then a private investigator in Los Angeles, who came to San Jose to check things out. He did some wire tapping and general detective work and supplied me with positive evidence of corruption.

The question then was, "What do I do now?" The cooperation of the district attorney would be needed, and he was a crony of the sheriff. Earl Warren, later Chief Justice of the United States Supreme Court, was then Governor, and he was a good friend of mine. I knew that when he was District Attorney of Alameda County he had cleaned up a corrupt situation there, so I went to him for advice. He told me that the key to the whole thing was the district attorney, and my first effort should be to get one who would cooperate. Within a few days the district attorney died (through no act of mine) and Leonard Avila was appointed in his place. I went to him with evidence, and the sheriff was soon arrested and removed from office. Governor Warren appointed Avila to the next Santa Clara County Superior Court vacancy.

Another instance of corruption developed in the government of the City of San Jose in the 1940's. A political boss got control. The councilmen were his puppets and the police department took orders from him. An opportunity came to do something about it when, because of resignations, six of the seven councilmen came up for election at the same time. We organized a Citizens' Committee and they selected six new candidates. We made boss control the issue, and all six were elected. The boss soon disappeared from the scene.

Although profit making was not the primary objective of E. A. and J. O. Hayes when they acquired the Herald and the Mercury, the

newspapers grew as the population of the community increased. They produced more income and required more business management. E. A. and J. O. Hayes became joint publishers, and after a time, W. P. Lyon, Uncle Will, became business manager. At different times Sibyl, Anson, Harold and Lyetta worked on the newspapers. Sibyl was in the Editorial Department, then book editor. Anson and Harold were in the business office. Lyetta was Cashier, an office she filled until she married and moved to Boston.

While the Mercury was published as a morning paper it became more and more tempting, and less expensive, to lift stories from the Mercury and run them in the Herald. After a time someone started to call the Herald the "Evening Parrot." The name caught on, and everybody (almost) took it up. It seemed to be time for a change, and it was decided to consolidate the papers as the Morning Mercury Herald.

The newspaper field in San Jose was not free from competition. For a number of years the Morning Times was published by Charles Shortridge, a brother of United States Senator Samuel Shortridge. His idea of the way to compete was to attack the Hayeses. At first the attacks were ignored, but they became more and more outrageous, and eventually Mr. Shortridge went too far. He accused E. A. Hayes of murdering his step-father and of burning the Eden Vale home to collect insurance on it. This was too much for Uncle Everis. He swore out a complaint against Shortridge, accusing him of criminal libel. Upon his arrest Shortridge professed amazement. He said he thought everyone knew that he was not really serious about the charges. Nevertheless he was brought to trial. Uncle Everis produced evidence that T. B. Chynoweth had died of natural causes and that there was no insurance on the Eden Vale home when it burned. The defendant was convicted, but to Uncle Everis' indignation the judge let him off with a slap on the wrist. Instead of a jail sentence he was ordered to pay a small fine. Before long the Times went out of business.

The competition in the evening field came from the News. For many years the newspaper was owned by Hyland Baggerly, and the competition was friendly. Haggerly told the San Jose merchants that of course they should advertise in the Mercury Herald, but they should also use the News. Everything went smoothly until Haggerly sold the News to G. Logan Payne, a newspaperman from Washington, D. C. Payne was more the Shortridge type, and his policy was to attack the Hayeses and their paper. He was determined to make the News the leading newspaper in San Jose, and although he did not succeed he made things uncomfortable for everybody.

Logan Payne died after a few years, and his son George succeeded him, assisted by his brother, Robert. The new management was no improvement, and things were disagreeable until we bought the News in 1942.

POLITICS

As a result of their ownership of the newspapers and their success in eliminating the bosses, E. A. and J. O. Hayes became involved in political activities extending beyond Santa Clara County. They became well-known throughout California.

In conformity with the style of the day, both of the brothers wore full beards. E. A.'s was a rich red and J. O.'s was black. Soon they were known to everyone as Red and Black Hayes. The labels established their identity, and nobody forgot them. In later years, as I travelled around the state and met many people, very often I would be asked if my father was Red or Black Hayes.

As the years passed the beards turned to white, but the brothers were still known as Red and Black Hayes. Styles changed, but the once black beard remained full and impressive. The former red beard became a very handsome Van Dyke.

On the subject of beards, Uncle Will Lyon, when I first knew him, had a beard even fuller than those of Father and Uncle Everis. His response to the changing style in beards was diplomatic and subtle. He was then business manager of the Mercury-Herald, and each year he made an eastern trip to contact people in advertising circles. Each year on his return his beard was a little smaller. Eventually, all that was left was a mustache and a goatee. The next year the goatee was gone, and the following year he was clean shaven.

In 1904 (I think that was the year) a delegation of Republicans asked E. A. Hayes to run for Congress. He agreed, and he was elected, continuing to serve until 1919. He served on the Banking and Currency Committee, and during President Wilson's administration he became the ranking Republican on that committee.

Uncle Everis told me that when he went out for exercise, walking around Washington, he often met President Theodore Roosevelt. The President always greeted him as "Old Prunes." I think he was delighted by this reference to the most important product of his home county.

In 1917 President Wilson asked the Congress to declare war on Germany. Uncle Everis felt that his background and his belief in his mother's principles made it impossible for him to vote for war. He was one of a handful of congressmaen who voted "No." The Democrats seized on this, accusing him of lack of patriotism, and in 1918 he was defeated for reelection. This ended his active participation in politics. As his term of office as a congressman was drawing to a close, President Wilson offered him an appointment as a member of the Federal Reserve Board. This was a new organization being set up under an Act of Congress which had recently been passed. Uncle Everis had taken a leading part in drafting the new law, which was probably why he was offered the appointment. He refused the offer, preferring to return to his home at Eden Vale.

The years Uncle Everis spent as a congressman resulted in many changes in the living pattern at Eden Vale. He established a home near Dupont Circle in Washington, and he and his family spent a substantial part of each year there. At first he and Aunt Mary took all of their children with them when Congress convened in December, and they stayed until Congress adjourned. The children went to school there - the boys to the Friends' School and Western High School and Phyllis to Guther Hall. When the boys reached college age they remained at Eden Vale and went to college from there.

These years also provided a wonderful experience for the J. O. Hayes' children. Each of us (at least the older ones) was invited to spend a winter in Washington, and it was an unforgettable experience. My turn came in 1911, and I took time out from my studies at San Jose High School. We went by train through the south, all new country to me. The stop in El Paso was long enough to give us time to cross the border to Ciudad Juarez. We spent a night in New Orleans, and I found the city so fascinating that I have returned many times.

To me Washington was a beautiful city, and I think I touched all the bases. Sibyl was not in school, and she acted as my guide, making sure I would not miss anything. At the Capitol she took me to sessions of the Senate, the House and the Supreme Court. We visited all of the interesting government buildings, including the Smithsonian Institute. We climbed the Washington Monument, went to the Corcoran Art Gallery, Rock Creek Park, the National Cemetery at Arlington, and went down the Potomac River to Mount Vernon. Sibyl's patience and thoroughness earned my deep gratitude.

After the first time around I went off my myself to revisit the places that interested me most. I particularly remember many trips to the Senate gallery to listen to the debates.

A high spot of my Washington trip was an invitation to attend President Taft's reception for the Members of Congress. Full dress was required, but that obstacle was overcome, and I went with Uncle Everis and his family. Seeing the White House from the inside, and being permitted to shake hands with the President and Mrs. Taft, was a tremendous experience for a high school boy.

During E. A.'s years in Congress J. O. necessarily assumed most of the responsibility of management of the business and property. This included the direction of the editorial policy of the newspapers, and that inevitably led to his involvement in politics. His advice and support was sought by candidates for state and local offices, and he supported those he believed were best qualified.

Father never held an elective public office, and the only office he ever sought was that of Governor of California. In the days before the parties nominated their candidates through direct primaries, various leaders of the Republican party urged him to be a candidate for Governor, and he agreed to let his name go before

the convention. This was in 1906, and the Republican Convention was held in Santa Cruz. Father attended, accompanied by some of the family, including me. Sufficient support had been promised him to insure his nomination, but at the last minute one leader who controlled many votes withdrew his support. This left Father with too few votes to win, and he did not allow his name to be presented to the convention. James Gilette was nominated and later elected Governor.

The man who double-crossed Father was Abe Ruef, the political boss of San Francisco. Soon after the election he was exposed and convicted as a bribe-taker and blackmailer. I have often thought how Father would have suffered when the exposure came if he had been elected Governor through this man's support. It has also occurred to me that Abe Ruef probably came to realize that Father would not go along with any projects that were questionable and he may have decided that he would be better off with someone else as Governor.

Later the nominees of the parties were chosen by direct primaries. The one getting the most votes in a state-wide election became the nominee. Father tried for the Republican nomination for Governor in 1918 but lost to James Rolph, who was elected Governor. Rolph was a very popular mayor of San Francisco.

Father never again ran for office, but he was active in public affairs for many years. He was appointed a Regent of the University of California by Governor Richardson. He was a useful and efficient Regent, and he enjoyed the work. He was a delegate to several Republican National Conventions. Later I served as a delegate to three conventions and some of the older Republicans told me they thought it was very proper that I should be taking my father's place.

Over the years Father was in contact with many of the political leaders of the nation. Perhaps the one closest to him was Herbert Hoover.

Mr. Hoover served as Food Administrator during World War I and later was Secretary of Commerce in the administrations of Presidents Harding and Coolidge. During the post-war years he built a home on the Stanford University campus, the house now being the official residence of the University president. Mr. Hoover was a Stanford alumnus and a trustee of the University, and at that time Almon Roth, Mildred's husband, was Controller of the University. The Roths and the Hoovers were close friends, and this was a factor in establishing the Hoover-Hayes friendship.

Because of Father's political and newspaper experience Mr. Hoover respected his opinions and advice. Before Mr. Hoover's nomination and election as President in 1928 he made frequent trips to Eden Vale to consult with Father concerning his political plans. My niece, Betty Kendrick, has told me what an excited and thrilled young girl she was when she met Mr. Hoover at Eden Vale.

Sometimes Father would be invited to the Hoover home, and Lyetta remembers the times when Father took her along to have dinner with the Hoovers. On one occasion Mr. Hoover invited Father and Al Roth to a dinner he was giving for national Republican leaders, and Father asked if he could take me along. Permission having been granted, I went, and was much interested in meeting the famous men.

After Mr. Hoover's term of office ended in 1933, his son Allan and Orlo started a joint farming operation in the San Joaquin delta. Mr. Hoover participated by helping with their financing and planning, and as a result of frequent meetings Orlo established a close relationship with the former president. I acted as their attorney, and often when a problem arose Mr. Hoover would telephone and invite me to come to his home for luncheon. Usually there would be just the two of us, but often Mrs. Hoover dropped in to greet me. After we had finished talking business, we discussed national and international problems, and Mr. Hoover would answer any question I put to him. His answers were completely candid, and his views, based on reports he got from his contacts all over the world, were so informative, wise, tolerant and humane that I developed a deep respect and affection for him.

FAMILY ACTIVITIES

During the years when the young children were growing up life at Eden Vale was never dull. At first, before the advent of the automobile, we were quite detached from San Jose, but there were enough of us, and so much area in which to operate, that there was always plenty of action. We had our share of illnesses, accidents and injuries, but I think it would serve no purpose to try to describe them.

Transportation

Father and Uncle Everis had an office in San Jose, and in the early days they reached it by horse and buggy. When other members of the family went to town they also used horses. There were always coachmen, who took care of the horses and the stables as well as chauffeuring the family. It was their responsibility to feed the horses and to groom them with a curry comb to keep them presentable. It would not do to let their appearance disgrace the family.

The coachmen also made sure that the buggies and carriages were clean, at least at the start of the trip. The roads were unpaved in those days, and always dusty or muddy, so that the wash-racks were kept busy. For many years Mike Bernal, a descendant of an old Spanish family, was head coachman.

The main San Francisco to Los Angeles line of the Southern Pacific ran past our home, and soon there was an Eden Vale Station. It was first located near the Old House, but later was moved to a spot near the intersection of Palm Avenue and the Monterey Road. Most of the trains going to and from San Francisco stopped there, and we frequently took the train when going to San Jose or beyond. Most of my generation attended Stanford, and when we went home for a week-end we were able to take the train at Palo Alto and leave it at Eden Vale, almost at our front door.

Another convenience was the U. S. Post Office, situated in the railroad station. The mail sacks were thrown from the railroad mail cars and picked up by the postmaster, who segregated the mail for delivery. The postmaster really did not have a full time job, and I remember one, Irwin Thornton, not much older than I was, who went into San Jose every week day to attend High School. There was also rural free delivery for those living at a distance from the post office, delivery being made by horse and buggy. For many years the delivery man was Cap Gulnac, another descendant of an old Spanish family. He was a hunchback, about four feet tall, and a thoroughly likeable man.

After the advent of automobiles, about 1906 in our family, things changed, but for a time life was not made simpler. There was no assurance that the six mile trip from Eden Vale to San Jose could be made without a breakdown. Punctures were routine.

The wheel was jacked up, after a level place was found to hold the jack, rims were removed after much prying, and the inner tube removed, patched with patches and cement always carried with us, and put back in the casing. Then the rims were fastened back on, and the tire was inflated with a hand pump. Swearing was forbidden, but the temptation was great. A blowout was a catastrophe.

Beside tire trouble, often the motor would quietly stop running. Then up with the hood to see if we could find a wire that had become disconnected. Usually we did, but sometimes a tow was required, and that was a major project in those days.

Other methods of transportations were saddle horses, bicycles, donkey cart and walking. Most of the travel around Eden Vale was on foot, and sometimes we covered a good many miles in a day. Saddle horses or bicycles were used when the trip was a long one. The donkey cart was used by the younger children, mostly for trips around the park and orchards.

The donkey cart was pulled by Jenny Bray, who became quite a famous character in the neighborhood. She seemed to love to be with the children and usually seemed happy to take them for rides. However, she had very definite ideas as to her rights. If she thought the cart was overloaded she would stop and lie down wherever she was. Sometimes this created a crises if the load had to be delivered in a hurry. Finally we found a way to solve the problem. I had noticed that the thing Jenney hated above anything else was to get her ears wet. Sometimes she got too close to a sprinkler. Result - wet ears. One day when she was lying in the road, refusing to budge, I went to get a sprinkling can, filled it, took it to the cart and sprinkled Jenny's ears. She got up at once, and the journey was brought to a successful conclusion. Thereafter we often carried a sprinkling can with us when we started off with Jenny Bray.

Clara Lyon Hayes

Because Aunt Mary spent so much of her time in Washington, Mother took over the responsibility of managing the home. She supervised the work of the housekeeper, cook, waitresses and other domestic help. Fred Gleichner, an Alsatian whose responsibility it was to keep the walks and driveways around the house in proper order, was under her direction. She also kept an eye on the vegetable and flower gardens, deciding what was to be planted.

When Mother was twenty years old, after her graduation from the University of Wisconsin, her parents allowed her to go to Europe, principally to study art, and secondarily, music. She left in May, 1878 and stayed for more than a year, spending most of her time in France, Germany and Italy. Her companion and chaperone was Mrs. Smith, a cousin. Mother wrote many letters to her parents, and Grandmother Lyon carefully saved them all. These finally found their way into Clare Berlin's hands. She found them so interesting that she collected them in a publication she

called "Mrs. S. and I." She sent copies to members of the family, and we are all grateful to Clare.

When studying art in Europe and thereafter, Mother concentrated on landscapes and flowers, and her painting became a very important part of her life. When she moved to California she studied for a time with William Keith, a well-known San Francisco landscape artist.

At Eden Vale Mother did much of her painting in her studio and in her garden. Many of her landscapes were scenes from Eden Vale and the surrounding country, but others were from Sierra City and Riverside, where she spent several winter vacations. Some of the redwood paintings were done in the Santa Cruz mountains. The park and her own garden provided flowers which served as models for her floral paintings.

After I moved to San Francisco I met an Italian artist, Zampolini, living in Argentina who was visiting in California. His work impressed me and I showed him some of Mother's paintings. He was interested, and we drove him to Eden Vale. He inspected her paintings, and then took her outside, although it was a rainy day. He started to paint the scene before him, working under an umbrella. He slapped on vivid, outrageously violent colors, using a palette knife. Although he spoke no English, Mother got the message. He was telling her to use more paint and brighter colors, that she need not be afraid of going too far because she could not possibly be as outrageous as he was. Mother followed his suggestion, even using a palette knife, which she had never done before. Her later paintings seemed to have even more life than her earlier ones.

Mother's fame as an artist grew, and exhibits of her paintings were held in various communities throughout the area. One was held at Paul Elder's in San Francisco. Others were held at the Stanford Art Museum and at San Jose Teachers College, now San Jose State College. Although she sold some of her paintings she had a struggle with her family every time she let one go. Sometimes she had to paint a copy for the Eden Vale home before she could mollify them. Much of her work is now in the homes of her descendants, relatives and friends, to their great joy.

Music always was an important part of Mother's life. She spent much time at the piano, and she always played the accompaniment for the home singing.

Among Mother's talents was the ability to organize and to promote causes. She was an organized of local branches of the Association of Collegiate Alumnae, the Young Womens' Christian Association, the Traveler's Aid, the mothers' Clubs (now the Parent Teachers Association) and others. She became a California state officer of some of them, and she was a speaker at many of their meetings. All of this was in addition to her work with the True Life Church.

Along with her other activities Mother found time to do much writing. She had always had a flair for poetry. Much of her work was serious, but she had a talent for nonsense rhymes.

For some time before 1907 Mother had felt that the True Life Church should have its own hymn book. Other hymnals had been used in the meetings, but I think Mother disapproved of the sentiments expressed in some of the hymns. Others she liked, and she made a selection of those she would like to include in a new hymn book. Many of them were old favorites, and there were no copyrights or other restrictions to prevent her from using them. She decided to go ahead, and "True Life Hymns" was on the way.

Mother had heard of Professor Alfred Beirle, a musician who had composed the music for some hymns she liked. She and Father called on him in Chicago. He was interested in her project and gave her valuable assistance. The typography would require a printer experienced in this line, and Dr. Beirle suggested Anderson Bros. of Chicago, who agreed to do the work. He authorized her to use more than twenty of his own compositions and to use new words with them. The project was well under way.

The thoughts and sentiments expressed in the hymns to be included must be in harmony with Grandmother's teachings. No one was better qualified to write them than those who knew Grandmother best. The hymn book, published in 1908, included seventeen hymns with words written by Mother, seven by Aunt Nellie Lyon, three by Aunt Mary, and one each by Sibyl and Lena Lindeman, a member of the Lyon household. The music for most of them was composed by Dr. Beirle, but Mother also persuaded some of her musical friends to contribute their work.

The book was the fulfillment of Mother's dream. Among the composers included were Beethoven, Handel, Mendelssohn, Bellini, Haydn, Giardini, Rossini, Mozart, Donizetti, Bach, Gounoud, Cherubini, Schumann and Arthur Sullivan of Gilbert and Sullivan. The family members who wrote words for the hymns were in good company - Longfellow, Goethe, Whittier, Harriet Beecher Stowe, Holmes and Isaac Watts, who was famous for his humns. The True Life hymn book was used in the Sunday meetings for many years and in the home meetings even longer.

Another of Mother's undertakings was the writing of a biography of her father, William Penn Lyon. Most of it was written during his lifetime, but he made Mother promise that nothing would be printed until after his death. The book was published in 1926 under the auspices of the State Historical Society of Wisconsin. In a foreword, the Superintendent of the Society wrote:

"William Penn Lyon, as lawyer, soldier, judge, supreme court justice, chief justice, and president of the State Board of Control, contributed greatly to the reputation of Wisconsin for a high type of public service. Ability, integrity, and a disinterested zeal

for the public welfare were the distinguishing traits of his character, and so conspicuous were these illustrated in his career, that we are fortunate in being able, through this biography, to hand down to posterity a record of his life."

With her deep belief in Grandmother's principles, Mother felt she should try to do something to make it easier for people to get the essence of her teachings. Grandmother's talks at the Sunday meetings had been transcribed by a stenographer, and many of them had been published in the magazine, "The True Life." Mother went through them and selected short passages, believing that people would be benefited if they read one each day. She published "A Spiritual Thought for Each Day. By Mary Hayes Chynoweth" in two volumes. Each volume listed the days, from January 1st to December 31st and carried one of Mother's selected passages for each day. Those who formed the habit of reading one each day had their thoughts elevated for a time, at least, every day.

Another step Mother took in her effort to make Grandmother's life and teachings understandable to everyone was to write her biography, entitled "Mary Hayes Chynoweth, A Spiritual Life."

The catalogue of Mother's writings would not be complete without a reference to her diaries. From 1906 on she kept a daily record of the family activities and the happenings at Eden Vale. They make most interesting reading.

The Children

School The children started their schooling at Eden Vale with teachers (only one at a time) provided by their parents. Eventually it was decided that they should learn more about the outside world. Perhaps it would be too great a shock to thrust them into the public schools, but there was a good private school, the Washburn School, in San Jose. It took children through grammar school and high school, so there were classes for all of us. The school was operated by Professor Washburn, his wife, Jessica, and his siter, Aunt Lucy. Other teachers were provided to supply all educational needs.

The school was located on San Pedro Street, about three blocks from the Southern Pacific main station in San Jose. This was important, because the train was to provide our transportation to and from school. The railroad ran a morning commute train from Gilroy to San Jose, stopping at Morgan Hill, Madrone, Coyote and Eden Vale, picking up students at every stop. Most of them attended San Jose High School or the State Teachers' College. The train was scheduled so that everybody got to school on time.

Mrs. Mary Folsom, a widow of a cousin, lived in San Jose some four or five blocks from the Washburn School, and our parents made arrangements with her to feed us at lunch time. The ar-

rangement worked out very well - for us, at least. It was an easy walk, and we had plenty of time to get back to school for our afternoon classes. The hot lunch kept us going.

The race to catch the morning train was usually pretty hectic. Mildred was always prompt, but the rest of us were not so reliable. It was exactly a quarter mile from the house to the station, and if the whistle blew for a crossing before we left the house we had to approach world's record time for the quarter mile to catch the train. Despite this I do not remember many times when anyone missed the train. This was partly due to a friendly and understanding train crew. They knew how many of us to expect, and they would keep count as we straggled in. One memorable morning Miriam was sick and stayed home from school. The train stood in the station for a long time, and the conductor finally went up to the engineer and asked him the reason for the delay. He said, "The little girl has not come yet." We told him she was not coming and the train got under way.

Washburn School did not have any playground, but we played ball and hockey in the street. Often it was very muddy, which was something of a disadvantage. The school had no athletic teams or programs, and the time came when I was eager to try for the San Jose High School baseball and rugby football teams. My parents consented to my transferring and I went to Mr. and Mrs. Washburn to tell them I was leaving. I still remember the contempt with which they received the suggestion that anyone would prefer football and baseball to their wonderful school. Harold also transferred to the High School, and the younger boys followed later.

The High School was situated in the square at Fourth and San Fernando Streets where San Jose State College now is. The train entered San Jose on Fourth Street, the tracks going down the center of the street, passing the High School and then going on to the station. It traveled slowly, and it was much easier to jump off as it passed the school than to go on to the station and walk back.

A commute train returned to Gilroy in the afternoon after school, and this was fine for those who could catch it. However, I was involved with football practice in the fall and baseball practice in the spring. The practice field was perhaps a mile from the dressing room at the school. After practice ended there was a walk back to school, a cold shower (we were not pampered with hot showers in those days), getting dressed. By that time the train was long gone.

The next move was to go to Father's office to try to get a ride home. Usually he had gone home, and that left the street car. The main line ran down First Street to the city limits at Almaden Avenue, and there was a connecting line that continued on to Scheutzen Park, a German rathskeller and picnic ground two and one-half miles from Eden Vale. The ride and the walk took so

much time that I never got home in time for dinner, or supper as we called it then, but we had an understanding cook and she always had something waiting for me.

Sometimes one of the boys would be stranded in San Jose late in the evening without transportation. The car to Scheutzen Park had an early quitting time, and the walk from the city limits was about four and a half miles. It was not much fun, but I guess it was a character builder.

Stanford was the only college any of us attended. Sibyl, Phyllis and Miriam decided against college, but Mildred, Lyetta and all of the boys went to Stanford, although Folsom's stay was short. In 1918 World War I was on, and Folsom entered the Stanford Reserve Officers' Training Corps. When the war ended he decided he would rather get married and go into farming than continue with college.

Attendance at college did not mean a break with the life at Eden Vale. There were weekends and vacations, and transportation was not too difficult.

Work The Eden Vale establishment provided plenty of job opportunities for children of all ages. It was a family rule that those working in the park, orchards and fields should be paid for their work. The pay was small by today's standards, but it was the same paid the other ranch hands. When we were old enough to do a full day's work we were paid one dollar for a ten hour shift, seven A. M. to six P. M. with an hour off for dinner, from twelve to one.

The girls' work was mostly in the house, doing domestic chores. The greatest moment for each of them came during school vacation. Each, in turn, was appointed family cook. Her responsibility was to plan and prepare three meals a day for a family that often totalled twenty of more. After that, I imagine, it did not seem too much of a hardship in later years when she had to feed her own family.

The girls also did some work with the fruit. When they were young they helped harvest the prune crop, going down on hands and knees on the rough ground to fill a pail with prunes that had fallen from the trees. They also cut and pitted apricots and placed them on trays for drying. They were paid the prevailing rate per box for their work.

When the boys were small their work was mostly in the park. There were lawns to be watered and mowed, flower beds to be watered, weeds to be hoed, leaves to be raked up and carted away. Also, each boy was given an area in the vegetable garden where he could raise vegetables for himself. I remember raising beets, radishes, carrots, string beans, and I am sure there were other vegetables. We were allowed to peddle our produce to the neighbors, and either our prices were low or the neighbors were king, because we sold our crops.

As the boys grew older they were able to do a full day's work, keeping up with the regular farm hands. Perhaps the easiest way to describe the work would be to tell of my own experiences, which were typical of the other boys.

After graduating from raking leaves and watering lawns, my work was mainly haying and picking and trucking fruit. Early in the summer the hay was cut and stacked in the fields. Some of it was held for the hay balers, but the rest was loaded onto big flat-bed trucks and taken to the barns. Horses provided the motive power. A teamster drove the horses, and I was his helper. He would drive to the hay cock and I would pitchfork the hay onto the truck. Then on to other hay cocks until the truck was full, ready to go to the barn. A fork full of hay was not too heavy, and the hardest part of the job was trying to keep straw from falling down my neck when I lifted the pitchfork over my head. All of us hay harvesters learned that the best equipment to prevent itching was a red bandana handkerchief around the neck.

After the hay balers had come and gone there were piles of baled hay to be taken to the barns. It was not such easy work to lift the bales onto the truck. Each bale weighed over two hundred pounds, as I remember it. The tools were hand hooks, one in each hand. The system was to stand with your knees against the bale, reach across it and fasten the hooks in the far side, and then, pulling with the arms and lifting with the knees, propel the bale up onto the truck. At first I had to have help to accomplish this. I remember my exultation when I first lifted a bale onto the truck all by myself.

From the time the cherries ripened in May there was always fruit to be picked. Except for the prunes, which fell to the ground, the fruit was picked from the trees, placed in a pail and carried to a spot where fruit boxes had been deposited. Most of the trees were tall enough to make it necessary to use a ladder to reach the fruit. The ladders were tall and awkward to handle, and they had to be moved frequently so that all parts of the tree could be reached. Discretion was required, because only the fruit that had reached the proper degree of ripeness was to be picked. The fruit not yet ready would be picked later. I remember that cherry picking was the hardest work of all. The trees were very tall, and it took much maneuvering to pick all the fruit from a tree. Also, the cherries were so small that it seemed to take forever to fill a pail.

Since apricots were a commercial crop there were many more of them to be picked. As I grew older I graduated to the job of hauling the boxes of newly picked apricots to the cutting shed where they were cut and spread for drying. Later in the year when the prunes ripened we hauled them to the dipper where they were dipped, dumped on trays and taken to the drying area.

There was always other work to be done, and we got varied experience. Sometimes we helped to care for the horses and mules.

When an oak tree fell it had to be sawed into chunks and then split into the proper size for fire wood. Sometimes there were other trees to be chopped up, such as pine and eucalyptus. For a time I was the milkman, milking seven cows at five in the morning and five in the evening. They were temperamental, and insisted on being milked at twelve hour intervals.

One summer Penn Lyon and I took over the irrigation of the prune orchard at the Lyon ranch. We dug ditches so that all parts of the orchard would be reached and diverted the stream when a section had had enough water. Some Italians were working in another part of the orchard, and we passed them one day when they were having lunch. One of them had a bottle of wine in his hand, and he reached out toward me and offered me a drink. I said, "No, thank you." He siad, "What's the matter? It's good wine." I think it was inconceivable to him that anyone would think drinking wine was immoral.

While I was working regular hours on the farm I had breakfast and dinner at the boarding house with the other hired hands. I was allowed to have supper with the family. There was always plenty to eat at the boarding house, and the meals were good. Much of the fruit from the family orchard found its way there.

In the summer of 1914 two of my college friends, Charles Jordan and Allen Griffin, who later became Phyllis' husband, joined me in working at the Sierra Buttes mine. We were muckers, a name given to miners who shoveled rock. We shoveled a lot of it into cars, pushed the cars out of the tunnel, and dumped the rock into the Reese Ravine, a canyon running down the mountain and into Sierra City. For a time we worked as track-layers in the Wet Crosscut, a branch of the sixth level which got its name from the water that poured down from the ceiling. Several inches of water ran down the floor of the tunnel, and as it came from the snow melting on the Sierra Buttes it was very cold. Laying track in the water was uncomfortable, but we got the job done.

We had our meals with the other miners at the boarding house situated near the mouth of the fifth level. As I remember it, we had steak and fried potatoes three times a day, every day in the week.

Being non-professional miners, we were segregated in our living quarters. An old shed near the sixth level mill which had once been used for storing dynamite-powder (as the miners called it) - was no longer in use. We moved three cots in and established residence. At that time the mill was running three shifts, 24 hours per day, and the noise in our home was deafening. Soon we got used to it, and when the mill shut down during the night, as it occasionally did, the silence awakened us. We could not get back to sleep until the noise started again.

Sunday was our day off. Nobody had heard of a five day week in those times. Horses were available, and we could go fishing,

or just explore the countryside. One Saturday evening a full moon was shining, and Allen suggested that we should ride off by moonlight and camp by the Salmon Lakes. Charles would have none of it, but I thought it was a fine idea. We had never been to the Salmon Lakes, and what trails existed were unmarked. We never got there, but we had a wonderful ride under the moon. We wandered through the forest, finally stumbling on Packer Lake. We camped there, returning on Sunday well satisfied with our expedition.

Some years later Loy went up to Sierra City to help with the mine and to look after the family property. He and his family lived there for several years. They were not relegated to the powder house, but occupied the main house in Sierra City.

Fun and Games Life was never dull at Eden Vale. The small children had plenty of room to play hide-and-seek, tag, marbles, top spinning, and any other game they had heard about or could invent. The girls had their dolls and doll houses, and when they grew older they did fancy needlework and became accomplished knitters. Roller skates were much in evidence, used by both boys and girls. The roads in the park were too rough for skating, as was the driveway encircling the house, but there were some smooth cement walkways and the cement floored basements made excellent skating rinks. Sometimes an adventurous child would try skating inside the house on the marble corridor. It was a perfect surface for skating, but soon some spoil-sport adult would arrive and put a stop to it.

Horseback riding was popular, and even Jenny Bray was pressed into service. She seemed to enjoy a trip with a small child, but if a big boy climbed into the saddle she promptly lay down. The rules she had established were not to be violated.

There was a time when Orlo and Folsom turned their hands to horse-breaking. There were plenty of mustangs, or cayuses as we called them, using the Spanish name, and the boys became very efficient at making saddle horses of them. I remember once when they were just getting started, going out to the barn and seeing Folsom just about to mount a horse he had saddled. He told me no one had ever ridden the horse. I thought it was my duty to get on first, and told him I would see if it was safe for him to try. With great trepidation I climbed on, but the horse just walked a way down the road. I returned the horse to Folsom, feeling very noble.

The large lawn in front of the house made a wonderful playground and there were no restrictions on our use of it. Often, especially on Sunday, a football, baseball or other game was staged. There were some drawbacks, especially the large oak trees encroaching on the field. Once during a baseball game I was at bat and I hit a hard line drive straight at the trunk of one of the trees. The ball hit the tree, and the oak slowly toppled over, directly away from me. I felt I was a very powerful hitter, and I paid no attention to belittlers who said its roots

were rotted by recent rains.

When I was in high school baseball became an important part of my life. Some of the boys in the neighborhood often dropped by on Sunday to play on the lawn, but that was not real baseball. Eventually I organized a team, recruiting neighbors and some of my high school teammates. We were the Oak Grove team, named after the home school district. Our home base was a diamond in the Chapel field which, with Father's consent, had been scraped and rolled. We played the town teams of Morgan Hill, Milpitas, Sunnyvale and anyone else we could persuade to schedule us. Sometimes we won, but if we won in enemy territory it made the natives so angry we had to hurry out of town.

One complication was that some of the games were played on fields adjoining saloons, usually on Sunday. Father came by one day, and I think the desecration of the Sabbath, plus the raucous spectators who had come out from the saloon, thoroughly shocked him. However, he said nothing.

One summer the family was in Sierra City, and a baseball tournament was scheduled for the Fourth of July. This was an annual affair, held in one of the mountain towns each year, and this was Sierra City's turn. Four teams were entered, but for some reason one of them could not come. The four teams were to play two preliminary games, with the winners meeting in the finals. People had come to Sierra City from other communities to enjoy the festivities, and the default was a disaster. We decided to offer to enter a family team, and since there was no alternative, we were accepted. One of the chauffeurs, Percy Crew, was our catcher and the other, Joe Daft was the shortstop. Penn Lyon was the pitcher; Loy, Folsom, Orlo and I and a couple of pickups made up the rest of the team. We drew Sierra City in the first game, and wrath descended on us when we beat them. We lost the final game to Nevada City, as I remember it, and things quieted down.

The park at Eden Vale also became a golf links of a sort. When we learned there was such a game we decided we should try it. We made hockey sticks from branches cut from trees, and they were our golf clubs. We used tennis balls for golf balls. We laid out a course circling the house, crossing lawns and driveways. We had no proper holes, but tree trunks would serve for some, hydrants for others, and a gap in a hedge was another. We did not get as much distance on our drives as some golfers, but we had a lot of fun. Later when Father took up golf seriously he spent many hours hitting pitch shots on the front lawn.

The Coyote Creek ran through the hills beyond the Lyon ranch, and even in the summer when it almost dried up it had pools big and deep enough for swimming. All of us learned to swim there. We could walk or bicycle to the Lyon ranch and then hike for a mile or so over the hills to the creek.

There was also swimming in the surf at Carmel and Santa Cruz, and there were indoor plunges, including one at the Vendome Hotel in San Jose. Once when Folsom was small I saw him at the top of a slide which would carry him out into deep water. He had not yet learned to swim, and I asked Loy if we should stop him. Loy said, "He will be all right. When he goes out over his head he just goes to the bottom and jumps up, heading toward shallow water, then he goes down again and keeps it up until he can walk out." That was the way it worked out.

The fields and hills around Eden Vale abounded with game, and it was inevitable that the boys would become hunters. Beside deer and coyotes, there were rabbits, quail, doves, pheasants, plover, ducks and geese. We were allowed to go hunting, but there was an inflexible rule that there should be no hunting in the park. There were always quail in the park, but many more outside in the fields. The quail knew they had a sanctuary. When hunting season opened and the first shots were fired all of them in the vicinity hurried into the park.

Fishing also played a big part in our lives. There were trout in the streams around Eden Vale and in the Santa Cruz mountains and plenty of fish in the Monterey Bay. We fished for perch and kingfish from the pier at Santa Cruz and caught salmon off-shore from Capitola. When it came to catching salmon, Phyllis outdid us all.

After automobiles became available for transportation there were trout-fishing trips to the mountains, usually to Sierra City. On one such trip, when we went by train, Loy, Folsom Orlo and I spent several days there, fishing in the streams and lakes. We knew everyone loved trout from the cold mountain streams and we decided to take some home, even though we faced an overnight trip. On the day we were to leave we got up early and caught a big supply. After cleaning them we packed them in a wooden box, with wet moss and ferns. The lid was nailed down, and we took the stage to Blairsden to catch the train for Oakland. We asked the porter to put the box in a cool place, but when we retrieved it in the morning it was obvious that he had failed us. We were to take a local train to Niles where we were to be met by the chauffeur. The railroad car we entered at Oakland was about half full, and I carried the box and took a seat in the middle of the car. The smell of over-ripe fish got stronger and stronger, and soon everybody else moved to the front or back of the car. I noticed a knothole in the lid of the box and kept my foot over it, but that was not much help. By the time we reached Niles the situation was critical. We got in the automobile and started for home, but when we came to the first open field we stopped the car and I threw the box over the fence. Today this would subject us to arrest for littering, but we could not take those fish to Eden Vale.

There were many fishing trips, but I will tell of only one more. One summer someone told us there was wonderful fishing in

Hat Creek, a tributary of the Pit River near Mt. Lassen. Off we went, but when we reached Hat Creek we found that a recent eruption of Mt. Lassen had filled the creek with volcanic ash, making fishing impossible. We camped at a nearby lake, but we had our hearts set on stream fishing. A local resident told us that the Rising River, a tributary of Hat Creek, had clear water, but we would need boats or canoes to fish it. There was an Indian settlement nearby, and we rented two dugout canoes from the Indians. They were clumsy craft, and it took us quite a while to learn to manage them. If the bow of the canoe veered a little as we paddled upstream, it would swing in a full half-circle and point the canoe down stream. We finally learned how to keep them going straight, and we paddled upstream until we entered an open space, perhaps an acre in size. Water bubbled up from underground springs scattered through the area. This was the source of the Rising River. The day was hot, and Loy said he was going for a swim. We told him this was snow water and very cold, but he undressed and dove over the side of the canoe. As he hit the water there was a tremendous yell. He scrambled back into the canoe as fast as he could, almost tipping it over. After that we did our swimming in the lake.

Incidentally, we caught plenty of fish.

As boys, it never occured to us that our trips into the hills and rugged mountains might be a source of worry to anyone. Years later I learned that a friend asked Mother if she did not worry sometimes when the boys took off, leaving her not knowing where they were or when they would return. She answere, "I worry all the time until they get home, but I will never let them know it."

Pets For the children, life at Eden Vale largely consisted of school, work and play, with a good share of each. There were plenty of pets. Besides Jenny Bray, there were dogs, cats, canaries, peacocks, rabbits, coyotes and a sheep. Perhaps some of them need explaining.

In those days sheep and cattle herders drove their flocks and herds along the Monterey Road on their way to pasture or market. They were a traffic hazard, but nobody did anything about it. One day we all went out to the road to inspect a flock of sheep. Miriam was a very little girl, and she fell in love with a baby lamb. The head sheepherder was impressed, and he presented the lamb to her. Miriam was delighted and named the lamb "Skippy." Everyone approved, until the day came when the lamb grew into a sheep and went around butting everybody. Soon the sheep disappeared.

We always had dogs, usually several and sometimes a good many. There were collies, setters, spaniels, terriers, and others. I remember a big Irish Wolfhound that wandered in one day, stayed for about six months and then disappeared. He loved to play on the lawn, daring the boys to try to catch him. He was so fast and maneuverable we never could, even when several of us tried to encircle him. He always managed to stay just out of reach, even

though he established a rule that he would never be more than a few feet away from us.

The dog I remember most fondly was a golden Collie named Bob. He was very intelligent and a thorough gentleman. He decided that it was his responsibility to protect the children and all of their possessions. Sometimes a boy would shed a coat or sweater, drop it on the lawn and take off. Bob would lie down beside the garment and wait, hours if necessary, until the boy retrieved it.

I remember once when some of the girls started out to visit neighbors who lived on Chynoweth Avenue. The shortest route was across a field used to pasture cows. Bob was with them when they started for the gate leading into the field. Bob placed himself at the entrance, blocking their way, and would not let them enter. Later they learned that the bull, quite a vicious one, had been turned out into the pasture.

When Orlo and Folsom were of high school age they came under the influence of Sam Alexander, a farm hand who had come from the deep south. He had grown up with hounds, used in that area for hunting deer and other animals. Orlo and Folsom were much impressed and soon they acquired their own pack of fox-hounds, including some called "Walker Hounds" that they brought from the South. The boys used them for trailing deer and coyotes in the hills south of Eden Vale and in the Santa Cruz Mountains. I particularly remember an old male dog named Trixie. He was crippled with arthritis, but he was so wise in the ways of the quarry that young dogs learned their job by following his example. There was nothing wrong with his nose.

There were many coyotes in the hills near Eden Vale in those days. On most nights their eerie cries filled the air, reminiscent of the screams of a woman in distress. More and more the hounds were used to trail the coyotes.

Orlo and Folsom somehow acquired an enclosed wagon we called the "Dog Wagon," and they would fill it with hounds and head for the hills. There they would release the hounds who would soon pick up the scent of a coyote and take off. I do not think they ever caught any, but their baying while on a warm trail was sweet music to the boys. They knew each hound by his voice and could tell when he had found a trail. When it was time to go home the boys would blow on horns made of cows' horns, and the dogs would come straggling back. It was part of their training to come when the horn blew.

Most of us went into the hills at times to follow the dogs, and sometimes we brought along school and college friends. Sometimes there were saddle horses, but often not, and seldom enough for everybody. The unters were free to abandon the chase whenever their strength gave out. Dr. Randolph Flood, now a San Francisco pediatrician, was a college friend of Loy's and mine,

and even now when I seen Randy he often reminisces aboutthe coyote hunts.

One exception to the rule that the coyotes always escaped was a day when Orlo and Folsom came upon a den inhabited by three new-born coyote pups. The mother was nowhere around, and the boys brought them home. They had to be bottle-fed at first, but they soon grew into frolicking pups, living in a pen and eating from a dish. One thing I remember about them is that one was much smaller than the others. Whenever their food was set out the two bigger ones would jump on the little one, nip her until she fled, and then harmoniously eat their dinner. The little one had to be fed later.

Perhaps it is now clear why I listed coyotes with the pets. They stayed with us until the boys got a bright idea. They thought it would help in the training of the young hounds if they led the coyotes on leashes around the park, making a scented trail and then released the dogs. It worked, but the noise was spectacular. Father came out, bristling with indignation. When he learned the facts, he gave an order that the coyotes must go to the Alum Rock Park zoo.

Although rats were not pets, they were very much in evidence at Eden Vale at one time. For some reason unknown to me swarms of rats migrated through the Santa Clara Valley. Hundreds of them decided to settle at Eden Vale, and they were everywhere. Mother decided that something must be done, and she ordered the foreman to trap some for her. Two or three were caught, and under her direction tar was melted, chicken feathers were collected, the rats were tarred and feathered and then set free. The next day not a rat was to be found anywhere in the vicinity, and they never came back. I do not know if Mother was drawing on ancient lore, or if she got a message from her guardian angel. Either way she came up with the right answer.

Holidays and Outings The most important holiday of the year at Eden Vale was Thanksgiving Day. Every member of the family tried to be at home on that day. Those attending college often brought friends with them, usually those too far from their homes to be with their own families. After the children were married and had their own families they came to Eden Vale for Thanksgiving if at all possible, bringing their families, and sometimes friends and relatives-in-law. As I remember it, there were often more than forty for dinner, which was served at mid-day. There were vast quantities of everything, from turkey to pumpkin pie. Everyone was stuffed when he left the table. Usually the younger male contingent went out to the front lawn to work it off with some sort of athletic game. It was a day when a feeling of love permeated everything and everybody, and the family never was closer.

Christmas was another big day, with another tremendous feast. There were no formalities, although the children exchanged presents when they were young. I do not remember that we had Christmas trees, but there was much love and happiness. As the years passed

there were more absentees than there were on Thanksgiving Day.

October second was an important day at Eden Vale, although without any formal celebration. It was Grandmother Hayes' birthday, and also that of Father and Mother, who were born in the same year, 1857.

The Fourth of July was usually honored by a picnic out under the trees. Long tables were set up by placing boards on sawhorses, and the food was brought out from the kitchen. There was no restriction against fire crackers, and sometimes it got pretty noisy. In the evening there were fireworks, with skyrockets, Roman Candles and other devices illuminating the night. It was a thrill for the young children, and everyone else seemed to enjoy it.

One of my earliest memories if of July Fourth, 1898. Besides all the other activities, everyone was celebrating Admiral Dewey's victory at Manila Bay. I did not know quite what it meant, but I knew it was something bery important.

There were many other outdoor picnics at Eden Vale. Some were family gatherings, but often they were given for members of the True Life Church. Also, Mother's various clubs often met at Eden Vale, and usually there would be a picnic. Mother's diary lists many of them. When the Association of Collegiate Alumnae met, more than one hundred were seated. Attendance at the Mothers' Club picnics ran from three to four hundred.

In the days before automobiles displaced horses we sometimes had picnics at Alum Rock Park or Congress Springs, near Saratoga. The trip from Edenvale can be made in a few minutes today, but in those times it was an all day undertaking. The lunch would be packed in hampers, the horses hitched to the spring wagon and buggies, and away we went. Everyone had a wonderful time, and the most serious problem was to round up and count all the children before starting for home.

During the summer we often went to the seashore or the mountains. Sometimes a house would be rented in Santa Cruz or Carmel, and if it was not big enough to hold us all we would go in instalments. The trip to Santa Cruz was by narrow gauge train from San Jose through Los Gatos and the Santa Cruz mountains. The young children were much impressed by the tunnels.

When going to Carmel we boarded the train at Eden Vale, leaving it at Monterey and taking a stage to Carmel. In later years automobiles were used for transportation to the seashore.

Going to the mountains usually meant Sierra City, where the family owned two houses. The town is on the North Fork of the Yuba River, and the main house was below the town on a spot overlooking a meadow which extended to the river. It was built in the eighteen-fifties, I think, as a home for the superintendant of the Sierra Buttes mine. The ninth level stamp mill was close by, and

when the mill was running it was very noisy. The other house was near the school-house facing a flat area used for baseball games. The house by the river is now owned by Orlo, and the house on the flat is owned by Anson. Today other members of the family also own houses in Sierra City.

First and second floor verandas extended along the full length of the main house, and when chairs were moved outside they provided wonderful places to rest and relax, to get a view of the river and the mountain beyond and to enjoy the invigorating mountain air.

There was an apple orchard adjoining the meadow near the main house, but when we were there in the summer the apples had not ripened. There was a barn where saddle horses (sometimes a mule) could be stabled. The barn also had a small fireplace or furnace which was used to melt the amalgam from the mill to produce a gold brick.

A very large cherry tree grew in the yard in front of the house on the flat. Its fruit usually ripened when some of us were in Sierra City and the black pie cherries were put to good use, especially in pies and jam. They made the best cherry pie I have ever tasted. The branches of the tree extended over the roof of the front porch, and it was quite a sight to see one of the young girls climb to the roof and reach out as far as she could to pick the cherries.

When automobiles became available it was an easy trip to the Upper and Lower Sardine Lakes, the Upper and Lower Salmon Lakes and Packer Lake. We often had picnics there, sometimes taking a frying pan and frying trout we caught in the lakes or in Sardine Creek, which carried the water from the lakes to the Yuba River. There was swimming, and rowboats were available on the lakes. I always thought that the Upper Sardine Lake was the most beautiful lake I had ever seen. The Sierra Buttes rose steeply from its shore, and it was fed by the melting snow. It was very deep, and the dark blue water made a vivid contrast to the snow above it.

Sardine Pond was a small, shallow lake just below the Lower Sardine Lake. It was an ideal swimming pool for the young children because they could wade out quite a distance without danger, and the water was much warmer than in the other lakes.

There were many rattlesnakes in the Sierra City area, but we learned to watch for them and they were no real problem. They had to coil themselves in a circle and raise their heads before they could strike, and when they coiled they rattled. The warning gave us time to get out of their way. We declared war on them, using rocks as weapons, but it really was not fair to the rattlesnakes.

One day Folsom and I started out for the Middle Yuba River. It was a long hike, up a tributary of the North Yuba called the

Little River, then up one of its tributaries, Milton Creek, then over the ridge that divided the two watersheds, and down to the Middle Yuba. It was a hard trip, but we were always able to fill our baskets with good sized trout. I was leading as we went up the trail, and suddenly Folsom let out a yell. I asked him what was the matter, and he told me I had stepped on a rattlesnake that was crossing the trail. When I looked around there was no snake in sight. It was too late then to worry.

Sierra City is more than 4,000 feet above sea level. The Sierra Buttes, with an elevation of about 8,500 feet and usually snow-covered, rises above the town and dominates the vicinity. Everybody in the family loved the area, with its lakes and many streams, and looked forward to their trips to the mountains. The boys delighted in the superb trout fishing and headed for Sierra City whenever they could. In the old days it was not an easy trip.

The favored route was by train to Nevada City, an overnight stop there at the National Hotel, then a two day trip over the mountains to Sierra City by way of Downieville and the Yuba River. The scenery was spectacular. Transportation was by stagecoach, the type now seen in museums, drawn by four horses. The road was precarious, narrow, steep and dusty, but the stage got through. The overnight stopping place was the Mountain House on the top of the ridge.

The alternate route was an overnight trip on the Southern Pacific Railway to Boca, just beyond Truckee; then to Loyalton on a narrow gauge train pulled by a wood burning locomotive; then by stage to Cambell Hot Springs in the Sierra Valley where we stayed overnight; then, still with the stage, over the Yuba Pass to Sierra City.

When the Western Pacific opened its line throught the Feather River canyon another route became available. From Oakland an overnight trip took us to Blairsden. Then a stage ride over a very bad road took us to Sierra City. From Oakland the journey took less than twenty-four hours, shortening the trip for those in a hurry. The stage was a double decker, with seats on top for the more venturesome passengers. The driver, Happy Jack, loved to wield his whip so its back lash would hit the passengers riding on the roof. Several times during the trip Happy Jack would stop the stage, dismount, go to a hollow log or a tree stump, pull out a bottle, raise it to his mouth, recork the bottle, replace it, remount the stage, and off we went.

The trip from Sierra City to Blairsden was a beautiful one. The road followed the Yuba River at the start and then climbed the ridge that separated the Yuba River and Feather River watersheds. About two or three miles above Sierra City we came to the Big Spring, a miniature waterfall fed by snow melting on the Sierra Buttes. Everyone always stopped there to drink the wonderful water. Toward the top of the ridge, after a climb with the Sierra

Buttes always in sight, we came to Lusk Meadows, an open area filled with many varieties of wild flowers. I particularly remember the lupin and delphinium. They were at their best in early summer. Many white birch trees were scattered around the edges of the meadow.

After crossing the top of the ridge the road descended to Gold Lake, a large and beautiful lake which later became a popular resort area. Then the road took us down to Blairsden, which was on the Feather River. There we caught the Western Pacific train.

Family Excursions

Mexico One of our earliest and probably our most memorable family expedition was a trip to Mexico in the winter of 1904. Everyone went, Grandmother Hayes and all of the parents and children. Mexico had no adequate roads at that time and almost no facilities for food and lodging, at least the sort that would be attractive to us. The answer was a trip by rail, and a private car was rented, large enough to provide berths for everybody. There was a kitchen, and a chef and porters were included. The lockers for the storage of food were under the floor, with doors opening to the outside. The car was switched off at the Eden Vale station, packed with food, luggage and children, and away we went, hooked onto a train going to Los Angeles. We were taken to El Paso and attached to a train leaving Ciudad Juarez for Mexico City.

This was an entirely new world for the Hayes family. There were frequent stops at different towns, both going south and returning, and we got a much better picture of Mexico than one could today if traveling by air or rail. Of course, Mexico is much different today.

Perhaps the fact that we lived in the Santa Clara Valley where the Spanish influence was still strong helped to make things easier for us. The Spanish names were not strange to us. At Eden Vale we were surrounded by descendents of the old Spanish families, such as the Bernals and the Gulnacs, and they were our friends.

Soon after we crossed the border we saw the chef painting crosses on the doors of the food lockers. We asked him why, and he said that otherwise they would be broken into and the food would be stolen. He said nobody would disturb a cross. He was right.

Two of the towns between El Palo and Mexico City are strong in my memory, Guanajuato and Aguas Calientes. By the time we reached Aguas Calientes everybody needed a bath. The hot springs were not far from the station and we were allowed time to soak in the pools. Baths were a rarity in Mexico in those days.

The attraction in Guanajuato was the catacombs. Crypts were provided for the deceased, a year's rental being paid by relatives. After a year, if no additional rental was paid, as was usually the case, the bones were removed and stacked along the walls, making an unusual corridor. Occasionally they would find a skeleton which had mummified with the bones not separated. In that case they would dress it in a night-gown-like shroud and hang it from the ceiling. A trip through the catacombs was an interesting experience for young children.

We spent several days in Mexico City, still sleeping in our railroad car, and devoting our time to sight-seeing. Horse-drawn buggies provided the transportation. The Cathedral was impressive, much as it is today. We drove out to the Shrine of the Virgin at Guadalupe and were impressed by the pilgrims creeping to the shrine on their hands and knees. Some sought to achieve sanctity by eating the plaster that had fallen from the walls.

On Sunday we drove out to Chapultepec, the palace of President Porfirio Dias. It was a pleasant drive to a lovely park, and the military band gave a concert. The music was so beautiful that when I glanced over to Father I saw tears running down his cheeks.

Both Guadalupe and Chapultapec seemed far out in the country. Years later when I visited Mexico City everything was solidly built up and both were a part of the city.

Although Americans (from the United States) were less popular in Mexico then than they are today, since the war between the two countries was fresher in the minds of the people, I cannot recall any time when we were treated with discourtesy. Once I saw a fight start between two boys. It was quickly stopped, and I asked the peacemaker what had started it. He said one boy had called the other a "gringo," their term for "yankee." But this feeling never seemed to be directed toward us.

Wherever we went, except in the heart of the city, we saw women doing their cooking beside the road. They had fireplaces enclosed with rocks, and the tortillas were placed on the hot rocks to cook. It was fascinating to see the senora shaping the dough by patting it between her hands. When her muchacho needed chastising, she would slap the tortilla against her cheek where some mysterious force made it adhere, attend to the child, and then remove the tortilla and continue with it until it was ready to go on the hot rocks.

A most interesting part of the trip was a side excursion to Vera Cruz. Our car was hitched to a train that took us through majestic mountains, through Puebla and Jalapa to our destination. Vera Cruz was much more primitive than Mexico City. It had no sewer system or garbage collection. Everybody dumped everything into the streets, and swarms of vultures did the cleaning up.

We were told that shooting a vulture was one of the most severely punished of crimes.

Vera Cruz is a port city, and its harbor is protected by a breakwater. It was winter, and a great storm came in from the north, something that happened only occasionally. We went down to the shore to watch the great waves come in. They hit the wall and sent foam and spray into the air, seemingly hundreds of feet. It was spectacular and beautiful.

Our trip to Mexico was an adventure that none of us has ever forgotten.

San Francisco A trip from Eden Vale to San Francisco does not sound impressive today, but when we were young children it was high adventure. I particularly remember three such expeditions.

Some time before the 1906 earthquake our parents thought their children should see something of city life. The four parents and lots of children went to San Francisco by train. We were lodged at the Palace Hotel, and I still remember how impressed we were to see the horse-drawn carriages driven into the courtyard inside the building to discharge their passengers in what is now the Palm Court. We covered the town by street car, including horse cars, going out to the beach and seeing everything. I remember Father was embarrassed by the crowd and often found he could not join us because of pressing business matters. Uncle Everis was different. He delighted in herding us onto a street car and shouting, "I want to pay for fourteen."

Uncle Everis had already started his service in Congress when the earthquake struck, so that the E. A. Hayes family read about the excitement in the Washington papers. The earthquake hit San Jose hard, and damaged a lot of buildings, including the Mercury printing plant. The newspaper was printed at an out-of-town plant until the damage was repaired.

O'Brien's candy store, a community institution, occupied a one story building between two taller ones. The taller buildings collapsed, flattening O'Brien's. The next day a sign in front of the candy store read: "Never touched us." A new high school had just been built in San Jose, being completed just a few weeks before the earthquake struck. The contractor was a man named Lenzen, who advertised by placing signs in front of his construction jobs reading "Of Course It's Lenzen." On completion of the high school the sign was removed. The earthquake completely demolished the two story building, with nothing standing more than three or four feet above the ground. The next morning a sign decorated the ruin -- "Of Course It's Lenzen."

Soon refugees from San Francisco began to straggle down the Monterey Road past Eden Vale. We wandered out to get the news. Some had fascinating stories of the disaster. One said the Cliff House had fallen into the Pacific Ocean. Another said he had

seen the Ferry Building topple over into the bay. All of them told us of the terrible devastation caused by the fire. Father was skeptical and wanted to see for himself. He collected some of the children and went to San Francisco by automobile. We went up Nob Hill and found an observation point near the place where the Mark Hopkins Hotel now is. The ruined, smoldering city lay below us. I think we all were grateful that Grandmother's foresight had given us a home so strongly built.

Theodore Roosevelt was president in 1908, and after our naval victories over Spain in the Spanish-American War he wanted to prove to the world that we had become a great naval power. He sent the Great White Fleet, as he called it, on a trip around the world, with visits to seaports in various countries. The last lap was the crossing of the Pacific to San Francisco, and the entry into the bay was heralded as an event nobody should miss. Father took some of us to San Francisco, where we perched on a hill overlooking the Golden Gate. A long procession of warships steamed in, and everyone was impressed. I do not know what impression it made in other countries.

Yosemite Valley In the summer of 1915 our parents thought we all should see the Yosemite Valley. We left in three automobiles, the Lyon family in their Kissel and the Hayes family in a Columbia and a Locomobile. All four Hayes parents and all their children except Mildred, Anson and Harold, took the trip. We drove across the San Joaquin Valley to Mariposa, where we spent the first night. We planned to drive to Camp Curry in the Yosemite Valley the next day, but we did not make it. Mother's diary relates our problems as follows:

> "Had a lot of trouble with cars so we did not reach Wawona (a hotel on the edge of the Yosemite Park) until 3:30 P.M. Roads were rough and steep but never muddy or dangerous. Columbia broke her low gear so had to back up the steep hills. Locomobile heated so soon we had to cool off and add water."

With the Columbia's low gear out of commission the car could not make the steep grade in second gear. The only way we could get to Wawona was to back down the hill until we found a place where the damaged car could be turned around. Then up the hill we went, the Columbia going backward, convoyed by the other cars, one leading and the other following. It was thirteen miles to Wawona, and there were no rear view mirrors in those days, so the driver's job was very difficult. One of us stood on the running board on each side of the car, telling him when he was getting too close to the edge of the road. The trip took a long time, but we made it.

The Columbia could not go on until the arrival of the new low gear which had been ordered. This meant spending the night at the Wawona Hotel. Mother's diary comments on the accomodations:

> "Hotel full so we slept almost any way. Jay, Will and E. A.

on cots and Mary, Nellie and I in an unfinished room."

She said nothing about where the children slept.

The stay in Wawona gave us an opportunity to go to the Mariposa Grove of redwoods the next day. Then we went on to Camp Curry, leaving the Columbia with the chauffeur to await the arrival of the new low gear.

The accomodations at Camp Curry were tents with wooded floors. We were comfortable, and frequent visits from deer and bears kept things interesting.

The Currys were a very friendly and likeable couple. They had two daughters, one of whom married Bob Williams and the other Don Tressider. Bob was a friend of Loy's, and before his marriage he spent a summer working on the farm at Eden Vale. Don became a doctor, and he served for some years as President of Stanford University.

One feature of Camp Curry was the "Fire Fall" which was staged every evening. Someone would go up to Glacier Point, build a fire in a metal tub and then throw the burning embers over the cliff after darkness fell. It was a spectacular sight, and the custom was continued until quite recently.

Host Curry became famous for a custom he extablished. Whenever guests were leaving the camp he walked out in front of the main building and shouted "Farewell" in a voice that could be heard all over the Valley.

Everybody did a lot of hiking during our stay in the Valley. Even the ladies walked many miles to see the falls and other scenic wonders. I particularly remember a camping trip taken by the boys. Camp Curry provided pack horses to carry our equipment, and we took a trail past the Vernal and Nevada Falls and along the Merced River to Merced Lake where we camped. We had wonderful fishing, especially in Washburn Lake which was farther upstream. We ate most of our catch, but on the way out we caught enough trout in the river to take an adequate supply to the family. One of my college classmates had a summer job as a cook at Camp Curry, and he saw to it that the fish were properly cooked.

Everyone was enjoying the mountains so much that it was decided tha t we should go on to Sierra City. There Mother did some painting and the boys did some fishing. Finally the time came to start for home. We went through Nevada City and Auburn, but as wo reached the Sacramento Valley it was very hot. Soon a tire exploded and was replaced, and then another. It did not occur to anyone that it would be wise to let some air out of the tires. By the time we reached Roseville we were out of spare tires, and it was decided we should spend the night there. Roseville was a railroad town where the main Southern Pacific shops were located. There was a small hotel, big enough for the ladies and those with

seniority, but there was no room for young males. Some of us slept in a bunk house occupied by the railroad workers.

In the morning it was cooler and we made it home without further adventure or misadventure.

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Inevitably the passage of time brought changes to Eden Vale. The family gradually shrank in numbers. After Lyetta married and moved to Boston the only permanent residents of the big house were Father, Sibyl and Lena Lindeman, who moved in after the deaths of Uncle Will and Aunt Nellie Lyon. Business conditions also changed, influenced by the depression of the 1930's. Eventually a new approach to meet the imminent dangers had to be considered.

PARTICIPATION OF THE YOUNGER GENERATION

Financial Obligations

In the autumn of 1929 a collapse of the New York stock market triggered a serious business depression that continued into the nineteen forties. Many banks throughout the country were forced to close, and there were stories of stock brokers jumping from the windows of tall buildings near Wall Street. Businesses were hard hit, and there was catastrophic unemployment. People were selling apples on many street corners to try to make a few pennies. The Government did what it could to help people to survive, but at times it seemed to be an impossible undertaking.

As an illustration of conditions I will tell of an experience I had in 1932. Frank Belgrano, the president of Transamerica Corporation and a top officer of the Bank of America, was a close friend of mine, and I had acted as his personal attorney. He called me one day and told me that the Bank of America was in trouble. Unless they could get help immediately from the Federal Government they would not be able to open for the next week's business. Since the Bank of America was the largest bank in the country, this would have been disastrous. Frank knew I had had some contact with President Hoover, and he asked me if I would telephone him in Washington to pave the way for the officers of the bank to ask for federal aid. I told Frank I would help in any way I could, but I doubted whether a call to the White House would get through to the President.

Dr. Ray Lyman Wilbur, formerly president of Stanford University, was Secretary of the Interior in President Hoover's cabinet. When I was discharged from the army in 1919 I returned to Stanford to finiah my course in the Law School. I was elected president of the newly-organized Interfraternity Conference, and that brought me inot close contact with Dr. Wilbur. During the war most of the students entered the army, and the fraternity houses were closed. The houses were owned by the University, and reopening them involved many problems. I had many conferences with Dr. Wilbur, and as a result I felt that my friendship with him was close enough so that I could talk to him about the Bank of America. I suggested this to Frank, and he said to go ahead.

I immediately telephoned Dr. Wilbur's office in Washington, and was told he was at the Republican National Convention which was then in session. I phoned the Convention and had Dr. Wilbur called from the floor. I explained the problem and he agreed to cooperate. He said he was going to Washington the next day and promised to talk with the President to pave the way for the bankers' visit. The Bank of America stayed open for business.

Frank Belgrano told me afterward that some of the top men at the bank had scolded him for bringing me into the picture. They were afraid the word would get out that the bank was in trouble,

but I never told anybody.

The depression had a devastating effect upon the Hayes family finances. For a time after World War I the Germania iron mine was kept in operation, but it was an expense rather than a profit-making venture. The Cleveland Cliffs Iron Company, who had operated the mine under a sublease, ran out of ore and returned the property to E. A. and J. O. Hayes, who were unwilling to give up without another attempt. Still, the operating expenses had to be paid with borrowed money. No ore body was found, so eventually the mine was shut down. It was then no longer an expense, but neither were there royalty payments coming in to bolster the exchequer.

The Sierra Buttes mine was producing some gold, but not enough to pay expenses. Most of the work was exploratory, trying to develop new ore bodies, but when new veins were uncovered the ore was of such low grade that it would have been unprofitable to mine it.

The Eden Vale home, with its park and gardens, was expensive to maintain, and the money had to come from somewhere. At times some came from the Mercury Herald. Sometimes the sale of crops produced in Oregon would help, but the sale of fruit from the Eden Vale orchards was not a great factor. Much of the needed money had to come from borrowing, and the debts kept increasing. Among the principal creditors were J. M. Longyear, who held a note for $278,950 representing money he had provided to keep the iron mine in operation; the First National Bank of San Jose; the Wells Fargo Bank; the American Trust Company; the Hibernia Bank of San Francisco, who held a mortgage on the Eden Vale property; and the Ladd and Bush Bank of Salem, Oregon, who held a mortgage on the Lake Labish property. There were many other debts om varying amounts owing to other firms and individuals. The total indebtedness varied from time to time, but I do not doubt that at times it exceeded $1,000,000.

Father and Uncle Everis carried on courageously, with complete faith that something, perhaps the Sierra Buttes Mine, would provide the money they needed. After all, the Power, speaking through Grandmother, had promised them that neither they nor any of their children would ever be in want.

Mother took a more practical approach. One day at Edenvale, late in 1930 or early in 1931, she spoke to me about the family finances, saying, "Elystus, you know how deeply in debt we are. What would happen if either your father or Uncle Everis were to die?" I told her that his estate would have to be probated, and that all of the creditors would file claims. These claims would have to be paid before the estate could be closed, and all of the property would be tied up in Court. She asked what the outcome would be. I said that probably everything would be sold, with the money going to the creditors. She asked whether anything could be done to prevent this. I said, "Perhaps, if title to the property

could be taken out of the names of E. A. and J. O. Hayes." She asked me if I would please do something about it. I told her I had some diffidence about telling Father and Uncle Everis what they should do with their property when they had not asked for my advice, but that I would see what I could do.

My first idea was to have all of the children form a trust which would buy all of the assets from our parents, paying for the properties by assumption of all the debts, plus an agreement to pay them annuities during the remainder of their lives. I took this up with Father and Uncle Everis, and although they recognized the seriousness of the problem, they showed no eagerness to turn their property over to their children. From time to time for many weeks we discussed the problem without making much progress. There was a natural reluctance to give up control of their property. Also, Father said he did not like the idea of a trust in which some of the children would be trustees for others who would not have an equal voice in the management of the property. I told him I had suggested a trust because, under then existing tax laws, there would be a substantial saving in taxes over those assessed against a corporation, but I agreed that he was right and we should form a corporation with all of the children acting as directors. He seemed to approve, but still nothing happened.

Meanwhile, Mother often asked me what progress I was making. I told her they had not said no, but they had not agreed to go ahead. I told her I understood their reluctance, and felt I had no right to insist that they give up their property. One day Mother said to me, "Elystus, I am asking you to get something done to straighten out the situation; I shall not bring up the subject again." That did it, as far as I was concerned. I made a nuisance of myself until Hayes Company was finally organized.

Organization of Hayes Company

In late 1931 everybody agreed that we should go ahead with Hayes Company. The stockholders were to be the children of E. A. and J. O. Hayes, who would also serve as directors. In those depressed times there was not much money available to put into the new corporation for its capital, so it was decided that 1200 shares of stock would be issued at $1.00 per share. This gave Hayes Company a total capital of $1,200. Each family got 600 shares, the six E. A. Hayes children getting 100 shares apiece and the five J. O. Hayes children 120 share each. Anson's shares were issued to Sibyl and Harold as trustees, and after Anson's death the stock went to his children.

There had been rumors of a divorce in the family, and it occurred to me that it would be wise to have the Hayes Company stock issued as the separate, rather than the community property of the children, to prevent a divorcing spouse from claiming ownership of a part of it. To accomplish this, our parents put up the money to buy the stock, specifying that they were making

gifts to their children. Thus each stockholder took the stock as his or her separate property.

Hayes Company had ten directors: Sibyl, Harold, Phyllis, Loy, Folsom, Mildred, Lyetta, Elystus, Miriam and Orlo. It had been informally agreed that I was to be president of the new company, with Harold as vice-president and secretary. The organization meeting was held at Eden Vale, and all directors and their spouses were present. As we were leaving for the meeting, which was to be held in the library, Mother called me aside. She said very firmly, "Elystus, I think Al Roth should be elected president of the corporation. I think there would be less risk of inharmony if you were not put in the top position." I told her I thought she was right. I walked down the hall with Allen Griffin, and I asked him if he would please suggest that Al be elected president. He agreed, and he did. Al was elected president, Harold, vice-president and I secretary. A few days later I told Mother that I thought she had been very wise in making the suggestion about Al. She said, "Why, I do not remember ever discussing anything like that."

Al served as president of Hayes Company for some time, but his work made it impossible for him to attend meetings. He gave us valuable advice, and when the time came to sell Eden Vale he found the buyers. During this period Al was serving as president of the San Francisco Waterfront Employers Association, an organization of shippers. Later he was elected president of the American Federation of Shipping, whose headquarters were in Washington, D. C. When he moved there he felt he should resign as president of Hayes Company, and I was elected to succeed him.

The Agreement Transferring the Property

On December 31, 1931, the organization of Hayes Company having been completed, a contract was executed by E. A., Mary B., J. O. and Clara L. Hayes whereby the individuals sold their property to the new corporation. The property included in the sale was:

A. Real Property
   1. The Labish farming property near Salem, Oregon.
   2. A residence in Salem, Oregon.
   3. The Sierra Buttes Mine, including all real property in Sierra County and all water rights owned by the sellers.
   4. The Star Mine.
   5. The Monterey Coal property.
   6. A residence in Hurley, Wisconsin.

B. Personal Property
   1. All equipment, livestock and unsold farm products at the Labish property, and uncollected money due from sales.
   2. All equipment at the Sierra Butes Mine, and all furniture and other personal property.

3. Capital stock representing ownership of the following corporations:
   Mercury Herald Company
   Hayes Chynowth Company
   Foxhall Heights Company
   Sierra Buttes Canal and Water Company
4. Other capital stock representing a minority interest in various corporations.
5. Indebtednesses owed to the sellers by various debtors, including some of their children.

The consideration to be paid by Hayes Company for the property was as follows:

1. The Corporation's assumption of all of the indebtedness of the sellers, including all promissory notes signed by them; the assumption of all unpaid bills and all other obligations not covered by notes.

2. The sellers were given the right to occupy the Eden Vale residence, free of rental, as long as any of them lived. Hayes Company granted them the right to use all furniture, fixtures and equipment, and to use the park and gardens. The Company agreed to maintain the park, flower and vegetable gardens, and to supply the sellers with firewood, fruit, vegetables, eggs, poultry, milk and cream.

3. The Company agreed to pay the sellers annuities of $4,000 per month, $2,000 to each couple. Each couple, or the survivor of them, would receive this payment until the death of the survivor. If one couple died, leaving the other couple, or one of them, living, the annuities payable to the deceased couple would continue, being paid to their children. As it worked out, J. O. Hayes was the last survivor. Aunt Mary outlived Uncle Everis, and after her death their annuity was paid until Father's death, being divided between the E. A. Hayes children.

The contract provided that the deeds transferring the real property should be executed as soon as possible, and that the capital stock owned by the sellers should also be transferred. We wanted to get all of the property out of their names before anything happened.

Contemporaneously with the signing of the contract the ten directors signed an agreement with their parents in which the children guaranteed the performance by Hayes Company of all of the contractual obligations assumed by it. The children expressly guaranteed that the Company would make the annuity payments, "irrespective of whether the Company earns a net income sufficient to make said payments." This agreement was signed because I felt it would bolster the position that our parents were making a bona fide sale of their property for an adequate consideration. I felt questions might some day be asked by the

tax authorities.

Not surprisingly, the signing of the contract did not immediately put Hayes Company in control of the properties. Father and Uncle Everis felt that if they suddenly stepped out the creditors might crack down. I suppose another factor was that they had run their own affairs for a long time, and they were not really ready to turn everything over to their children. The debts were more pressing than ever, and that seemed to them to be a sufficient justification for delay. Much of the business was still carried on under the name of E. A. and J. O. Hayes, and I felt the only thing I could do was to say repeatedly that the transfers must be made as soon as possible. As the year 1932 ran on we finally added a clause to the contract stating that the transfer of the property was to be effective as of December 31, 1932, and that the payments would commence January 1, 1933.

Mother had been in bad health for several years, and her life ended in December, 1932. Since the agreement for the transfer of the property had been signed by her, this did not complicate matters. It was not necessary to probate her estate.

Nothing much changed during 1933 and 1934. Business conditions continued bad, and much of the property had not yet been transferred to Hayes Company. Finally toward the end of 1934 I persuaded Father and Uncle Everis that Hayes Company must take over all of the property, although I do not now remember the arguments I used. In any event a supplement to the contract between our parents and Hayes Company was signed on December 31, 1934.

The new contract reaffirmed the earlier one, stating that performance of it had been delayed in some respects, but that the transfer of the properties was now to be completed. Some of the indebtednesses had been increased, and Hayes Company agreed to assume the increased amounts. For example, the indebtedness to the First National Bank of San Jose, listed at $47,700 in the first contract, was now $97,371.09. The indebtedness to the Wells Fargo Bank had grown from $3,000 to $12,000, and that to the Ladd and Bush Bank from $45,000 to $100,000.

The new contract also provided that all of Hayes Company's net income should be applied toward the payment of the obligations assumed by it, and that until the obligations were paid in full, no dividends should be paid. The contract further provided that no accounting should be had as to money drawn by the sellers from the operation of the properties since the signing of the first contract, but that the money drawn should be kept by them as full payment of the annuities due through 1934.

After the signing of the new contract deeds were executed, stock certificates were endorsed, and Hayes Company was finally in business.

Continuing Problems

The transfer of the properties to Hayes Company was no magic solution to the family's financial problems. Money still had to be provided to keep the Eden Vale home running and the Sierra Buttes mine in operation. It came from (1) the Mercury Herald, (2) at times, from the sale of crops from the Lake Labish property, and most importantly, (3) from additional borrowing.

As an example of the action taken to keep food on the family table, Lyetta has told me that when she was living at Eden Vale Brum would often be sent to the vegetable garden to pick anything that was ready for harvest. The vegetables would be taken to a San Jose grocery store owned by a friend of the family, and exchanged for needed groceries.

The Mercury Herald's earnings were disappointing for two reasons: first, because of the competition of the Evening News, and second, because of management weaknesses. Uncle Everis had not been active in the management for many years, and with the passage of the years Father had devoted less and less attention to the newspaper. Uncle Will Lyon had died, and his successor as business manager was an inadequate replacement. There was no cohesive policy in the editorial department, and no competent executives. The newspaper's prestige in the community was slipping fast.

Hayes Company's ownership of the various properties brought about no immediate change in management. Father undoubtedly felt that it was his responsibility to work out the financial problems, and he continued to make the decisions, although he discussed matters with the rest of us. He continued to act as publisher of the Mercury Herald. The newspaper was still owned by a corporation, the Mercury Herald Company, and even though Hayes Company had bought the corporation's stock there was no change in its officers or executives.

The Oregon property was well managed by Folsom, but the problems created by the national depression made his task a difficult one. Often additional money had to be borrowed to meet the payroll and to keep the farm in operation.

The third source of revenue, borrowed money, became increasingly difficult to find, and there was danger that soon it might completely dry up. An unforgettable occurrence was the time Uncle Everis went to the First National Bank to cash a $5.00 check and was refused the money. This was the act of a subordinate, not a top officer, but nevertheless it hurt.

It would be unfair to criticize the First National Bank for its treatment of the Hayes family. The indebtedness kept growing, and the time came when the National Bank Examiners declared that the loan was larger than the Bank was authorized to make; that it was an illegal loan. They forced the Bank to write off the Mer-

cury Herald Company indebtedness as a bad debt.

The Bank felt that something must be done, and some of its directors urged immediate action. Louis Oneal, then the political boss of Santa Clara County, was a director of the Bank. Acting on his own initiative, he offered the Mercury Herald for sale for $450,000 and buyers were found. Years later one of them told me he had made a $30,000 deposit to bind his agreement to buy a one-third interest in the newspaper. However, a number of the Bank directors were our friends, and they insisted that we should have a chance to work things out.

One day the two top officers of the Bank, Bradley Clayton and Frazier Reed, asked me to come in to talk things over. This was in 1937, and Father was about eighty years old. Uncle Everis was eighty-two. The bankers told me they thought Father and Uncle Everis needed help in solving our financial problems. They spoke of their long friendship for the Hayes family, and said they would fight to block the plan to sell us out, but would do so only if I would take full responsibility for the management of the newspaper.

At that time I was living and practicing law in San Francisco, and if I accepted this proposal it would mean a great change for me. Quoting from a report I made in 1945 to the directors of Hayes Company:

> "Naturally I hesitated, because this would mean the sacrifice of the law practice I had been working for years to build up, going into debt in the process. I was just reaching the point where I was developing the type of clientele that I wanted -- substantial business concerns and business men. Prospects were brighter for me, and I knew the struggles ahead if I accepted the responsibility for the family business. It seemed probable that I might sacrifice my law practice and then find myself stranded, either because of a collapse of the business or a sale of the newspaper. I moved in because I knew no one else in the family would or could do it.
>
> "Rightly or wringly, I felt it was my responsibility to try to prevent a family disaster. Many of you will remember my telling you at this time that my first object would be to make sure that our parents could live at Eden Vale during the remainder of their lives, free from financial worries, if possible. I told you I would try to achieve this object even if it meant there would be nothing left for their children.
>
> "My second objective was to put the family affairs into such shape that those of you who need help in order to be assured of a comfortable living would

not have to worry about a living income."

One of the conditions laid down by the officers of the bank bank was that expenses must be reduced. They said that no executive of the newspaper should be paid more than $400 per month. This sounds ridiculous today, but in those troubled times it was not unreasonable. Still, it did not make things any easier for me.

In considering the bank's proposal I felt that it would be wrong for me to take over the management of the Mercury Herald without the participation of anyone from the E. A. Hayes family. Harold would be the logical one to act, because he had worked in the business office of the newspaper. I asked him to come to San Francisco to talk things over, and after considering all phases we decided that we were willing to try to work things out. We would both be Associate Publishers, E. A. and J. O. Hayes remaing as the nominal publishers. Harold would concentrate on the business office. The editorial department and general policy decisions would be my responsibility.

I told Harold I believed that no business could operate with equally divided authority in its top management, and that since the Bank was putting the responsibility on me I felt it must be understood that if he and I ever disagreed as to a proposed course of action, we would do things my way. Harold agreed that this was reasonable.

We talked with Father and Uncle Everis and got their approval of the new arrangement. We then moved in and commenced our efforts to reorganize the management of the newspaper and to build an efficient organization. Harold and I fixed our salaries at $350 per month apiece.

The newspaper was not the only problem. Shortly after I moved in I surveyed the entire family situation, analyzing the various problems and properties, and trying to devise plans to deal with each of them. Obviously, something had to be done about the Longyear indebtedness. There was a question as to whether the prospects of finding a profitable ore body in the Sierra Buttes mine were favorable enough to justify continuing it in operation. Also, should we try to do anything with the Star Mine?

The 1945 report to the directors from which I have quoted contained an analysis of the problems, a review of progress which had been made toward solving them, and an outline of plans for the future. I shall discuss the various properties and problems, sometimes quoting from that report.

<u>Eden Vale</u> As we struggled out of our financial morass, no major change was made in the Eden Vale operation. At times it was most difficult to find the money to keep going. Some of the family, even Father at times, urged that Eden Vale be sold, or closed up

if no buyer could be found. This would cut living expenses, but I strongly opposed it, feeling that to move would be disastrous, at least for Father. I felt he could not adjust to a different routine, in cramped quarters, with no big lawns and familiar walks for his outdoor exercise. To me it seemed important that no matter what else had to go, we should make every effort to keep the Eden Vale home. This view prevailed, and somehow we managed to keep going.

Banking Problem After I agreed to become involved in the Hayes family affairs the First National Bank became most cooperative. Oviously, we needed some new financing to give us time to make new plans, and the Bank agreed to help. Quoting from the 1945 report:

> "The newspaper was unable to pay its current bills promptly and its credit was seriously impaired. Many purchases had to be on a cash basis. I felt there must be refinancing which would provide for payment of current bills and give us a breathing spell. No San Jose bank could help us. Finally we secured a loan from the Crocker First National Bank. It was purely a stopgap arrangement and some of the requirements were very distasteful, but an insolvent borrower cannot be choosey and we had to take what we could get. The loan gave us enough relief to permit us to continue on with the rest of the program."

The First National Bank helped us to arrange this new loan.

The Longyear Obligation As I have said, J. M. Longyear was one of the owners of the land where the iron mines were situated. He received royalty payments on all of the ore taken from the mine. While the Cleveland Cliffs Iron Company was operating the mine, part of the payments it made to E. A. and J. O. Hayes were passed on to the land owners. When the Cleveland Cliffs people surrendered their lease someone else had to keep the mine going, of all payments to the landowners would cease. E. A. and J. O. Hayes had no money to use for exploration, and nobody else was interested in taking over. Finally it was agreed that E. A. and J. O. Hayes would continue to operate the mine; that as money was needed it would be borrowed from a bank; that E. A. and J. O. Hayes would sign the notes; and that Mr. Longyear would endorse them and guarantee their payment. Father and Uncle Everis believed they could still find ore, and so the mining continued.

The hoped-for iron deposits were not found, and Mr. Longyear finally had to pay the indebtedness to the bank, which then amounted to $278,950. He took the note of E. A. and J. O. Hayes for this amount. When I moved in, accrued interest had increased the obligation to about $350,000. I felt some way must be found to get rid of this before we could solve our other

problems.

Quoting from the 1945 report:

"This indebtedness was about $350,000 principal and interest. As long as it continued it meant that if any assets of the family were liquidated the money realized would go to the Longyears. I felt this obligation must be removed as the first step. Father had offered $50,000 in full settlement, hoping there would be some source from which he could get the money, but they rejected the offer without even considering it."

Mr. Longyear had died before E. A. and J. O. Hayes sold their property to Hayes Company, and the trustees of his estate were now in charge. Nothing had been done about the indebtedness for some time, and when I checked into the matter I found that under California law the Statute of Limitations had run. This meant that since legal action had not been commenced within four years from the time the note was given, the holder of the note could not go to court to collect it, assuming that the debtor raised the point as a defense. Knowing that Father and Uncle Everis had always wanted to pay all of their debts, no matter how old and with no consideration of the Statute of Limitations, I did not want to deny liability on this ground.

The Longyear trustees asked me to go to New York to discuss the situation, and I agreed. I expected that something would have to be paid to get rid of the obligation, but we could not raise much money. I discussed my plans with the First National Bank of San Jose, and they agreed to help. I decided to go to Washington on the way to New York to see whether anything could be done with the Foxhall property to produce money which could be used in any settlement we might reach.

In Washington, I went to the bank that had loaned money on the Foxhall property, and with their help the remaining lots were sold to Georgetown University, a near neighbor. The proceeds of the sale were not immediately available, but the San Jose bank was willing to advance money for a settlement of the Longyear obligation, the money to be repaid from the Foxhall sale.

My meeting with the Longyear trustees was held in the office of one of the leading New York law firms. Those present, besides myself, were a senior partner of the law firm, a Vice President of the First National Bank of Boston, and the manager of the Longyear Estate, who had come from Marquette, Michigan to attend the meeting. I told them about our financial condition and that I was trying to work things out. I said I felt the Longyear indebtedness had to be cleared up, because otherwise I would really be working for them. They would be getting the benefit of anything I was able to accomplish.

The attorney did nost of the talking for them, and the first thing he asked was that we sign a waiver of the Statute of Limitations. I replied that I had not come to talk about the possible legal defenses, but about a settlement of the debt. He asked me what I had in mind. I said that we could not raise much money, but I thought I could get $25,000. They thought this was ridiculous, so I used another weapon I had prepared.

Before leaving California it had occurred to me that if Mr. Longyear had arranged for the bank loan, knowing that the money received would be spent on the development of his property, hoping that this would result in income for himself, perhaps a court would hold that it was really his debt, and that he could not collect from E. A. and J. O. Hayes. All of the money went into his property, and none of it into the pockets of the Hayes brothers. I found some legal authorities that seemed to support this position. Then I went through all of the files in San Jose, and took a number of them with me on the train trip across the continent. By the time I reached New York I was convinced that if it came to a showdown we would have a good chance to win on this point.

As the conference continued, getting nowhere, I was again asked to waive the Statute of Limitations. Again I said that they, not I, were raising the point. Then I told them of this other possible defense. "But," I said, "let us see if we cannot find a way to get the obligation settled without talking about defenses."

As the meeting continued, apparently making no progress, I made another suggestion. The Oregon property was subject to a heavy indebtedness to the Ladd and Bush Bank, but we were harvesting a fine crop of onions and the price at which onions were selling high. I suggested that they take the Oregon property, assuming all debts, and we would take the crops, free of any encumbrances. They would not listen to this. I presume they were afraid they would be taking on another headache. I was not sure how this would have worked out for us, but I believed that the money we would get from the crops would be more than the value of the land, after subtracting the indebtedness.

We were approaching lunch time, and they asked me if I could increase the cash offer. I said I would try to get the San Jose bank to let us have $35,000 - ten percent of the obligation - and if I could get it we would give it to them as payment in full. They then told me that if we could not reach a settlement they would have to come out to California and sue on the note. I told them to come ahead; that they would be doing us a real favor, because if they sued they would get nothing. I did not specify whether this would be because of our legal defenses or our financial condition. They asked mt to come back after lunch, saying that they wanted to talk things over by themselves.

I went down to a nearby restaurant for a sandwich, and as I left the restaurant I saw the three gentlemen walking down the

street. They were talking and laughing, animatedly and cheerfully, and I had the feeling that everything would be all right. It seemed that there was nothing they could do, and they took it with good grace.

When we reconvened, they said they accepted my offer, and that was that. The First National Bank supplied the $35,000, the settlement was effected, and that was the end of the Longyear obligation. However, there was still one problem to be handled.

Under the income tax law, if a debtor pays something less than the full amount of his debt, and the creditor gives him a complete release of the obligation, a tax is payable on the difference between the total debt and the amount paid. In our case this would have meant that a tax would be levied on about $315,000. We were in no condition to pay a tax on a figure like this. However, tax rulings had to be decided that if the debt settlement came about because the debtor was insolvent, even though there had been no bankruptcy proceedings, and there was not any way the creditor could have collected more money from him, then there would be no tax.

The Internal Revenue people came after us to collect taxes on this $315,000. We opened our books to them, and after an audit they made a ruling that we were insolvent; that our debts were greater than the total value of all our property. Thus we avoided a disastrous tax assessment, and the only injury was to our pride.

This ended all family activity concerning iron mines. I do not remember what happened to the house in Hurley.

Sierra Buttes Mine One of my clients, R. G. Hall, was a mining engineer who had had experience in developing gold mines in Alaska and in many other parts of the world. He had reached an age that made him want to live more quietly, and he moved to San Francisco. I told him about the Sierra Buttes mine and asked him whether he could help us to decide whether to put more money into its development. He said he would and said his starting point would be to go over all available records to determine the level from which each lot of ore had been taken and the assay reports showing how much gold per ton was contained in each lot. I dug up the records and took them to him. A few days later he told me that his analysis showed very clearly that the higher the elevation in the mine the richer the ore had been. His conclusion was that the earliest formation of gold had taken place at the top, and the richness gradually diminished as the lower levels were opened. Since the upper levels had been mined out, and the logical place for any new work would be in the eighth and ninth levels, we decided that the chances of finding ore rich enough to justify mining it were slight. We decided we could not afford further exploration in the Sierra Buttes mine.

Star Mine This mine had been leased to some prospectors, but the lessees were not able to find enough gold to make it profitable. They surrendered their lease.

A college friend of mine, Wendell Hammon, was a mining engineer. His father was a pioneer in California gold dredging, operating from Oroville, and Wendell had had much experience in gold mining in California and elsewhere. I asked for his advice, and he agreed to help. I gave him all the records I could find bearing on the work that had been done at the Star Mine and then drove him to the property. His conclusion was that there were pockets of gold, and that most of the production had come from them. He could find no evidence of a well defined, gold bearing ledge. On the basis of his report we gave up any idea of reopening the Star Mine.

Labish Property We did not worry about the management of the Oregon farm. First Orlo and then Folsom had done very well in planning and in supervising the work. The problems were financial, and most of them had their roots in the nationwide depression.

The report to the directors from which I have quoted was written shortly after the property was finally sold, and I referred to the Oregon operation as follows:

> "When I first became directly concerned with the management of the family business the Oregon affairs were in a desperate condition. We were heavily indebted to the bank; in fact we were fearful that the bank might commence foreclosure proceedings. It seemed doubtful that things would ever work out so that there would be any substantial amount of money for us.
>
> "Folsom at all times handled this problem as though the business were his own. He never became discouraged but gave everything he had to solve the problems. The recent sale, which should net us over $300,000 including proceeds from this year's crops, proves how effective his efforts have been. He has never thought of himself but only of the best interest of the family, and he has earned the lasting gratitude of every one of us. A struggle such as he has made takes a lot out of a man physically and that is a contribution he has made to all of us."

Some years before the sale a serious financial problem arose in Oregon. L. O. Herrold had helped Father to drain and clear the Labish property, and he managed the operation before Orlo, and later Folsom, took over. Herrold then went into business for himself, doing some farming and also bidding on contracts for road construction work.

One day in 1929 Herrold came to San Jose to discuss his financial problems with Father. He was bidding on a road con-

struction contract, and had asked the Ladd and Bush Bank to finance him. He already owed money to the Bank, and they said they would do so only if Father would guarantee his indebtedness. He showed Father a form of guaranty prepared by the Bank which he had brought with him. It was drawn to cover a guarantee of all Herrold's indebtedness to the Bank up to $35,000.

Father was sympathetic, and, as always eager to help anyone in trouble. He told Herrold he would be willing to guarantee the repayment of the money Herrold would require if he were awarded the road contract, but he was not willing to guarantee loans made to him for any other purpose. Herrold said the Bank had agreed that the guaranty would be used only for that one contract. Father said he would change the wording of the guaranty to make that clear, but Herrold objected, saying that the Bank did not want any changes made in their legal forms. He said it was thoroughly understood by everyone that the guaranty would be used only for the one road contract.

Father was always willing to trust his friends, and he was inclined to believe everything they told him. He signed the guaranty, and Herrold took it to the Bank. Father heard nothing more about it for more than two years, although Herrold had told him he was not awarded the road contract.

One day in 1932 Father was at the Ladd and Bush Bank in Salem, and officers of the Bank spoke to him about his guaranty of Herrold's indebtedness. Father said he had made no such guaranty. They showed him the document. He told them it had never taken effect. They said it had, and they would hold him to it. Nothing was settled, and Father left.

Herrold's financial condition did not improve, and two or three years later the Bank asked Father to go to Salem to discuss matters. He complied, but the talk got nowhere. Father prepared to leave, but he was then served with a summons in a suit the Bank had filed in the Oregon State Court at Salem, claiming $35,000 from Father because of the guaranty. Father was indignant and said he would fight the claim.

Father brought the papers to me, and we considered steps we might take. Normally, a suit against a man should be filed in the state where he lives, but if it is filed in another state, and he can be served with the papers in that state, he must defend it there. I felt Father would be at a disadvantage if the case were tried in Salem because of the influence of the Bank in the community. We filed a motion in the Salem Court to quash the service of summons, based on Father's affidavit that the Bank had told him nothing about the filing of the suit when they asked him to come to Salem. We contended that the Bank had been guilty of entrapment, getting Father to come to Oregon for the sole purpose of serving him with papers, thus trying to force him to defend against the claim in Oregon. The Salem Court ruled in our favor and quashed the service of summons. As

a practical matter, this meant that the Bank would have to file suit in California if they wanted to try to collect from Father.

Things quieted down for a while, but in 1936 the Bank filed suit against Father in the United States District Court in San Francisco. Now he had to defend the case on its merits.

In preparing for the trial, I felt I must find out everything I could about Herrold's dealings with the Ladd and Bush Bank. I went to Salem and asked Folsom to try to get Herrold to let me see his records bearing on his dealings with the Bank. Folsom got Herrold's consent, and he and I went to Herrold's house. I dug through the papers, giving the pertinent ones to Folsom to copy. We struck pay dirt, and fearing we might be interrupted, I would not let Folsom leave, even to go to the bathroom, until we had made a record of everything that seemed pertinent. Here are some of the things we discovered:

1. At the time the guaranty was signed by Father, Herrold owed the Bank about $40,000, substantially more than the $35,000 specified in the guaranty.

2. Many of the loans to Herrold were arranged by C. M. Cox, an officer of the Bank who was Mrs. Herrold's first cousin.

3. Herrold's unfortunate farming ventures were conducted on leased land. Some of it was leased from Mr. Bush, the president of the Bank, and some from Mrs. Bush, his wife.

Incidentally, Father knew that Herrold was involved in raising asparagus on Mrs. Bush's land. Father had told him he thought this was a risky venture and advised him to get out of it, but Herrold said that Mr. Bush insisted that he carry it through.

All of this was introduced in evidence at the trial of the case. In defending the action I contended:

1. There was no consideration for the guaranty because Father got nothing from it, and since Herrold owed the Bank more than $35,000 at the time the guaranty was signed, there was no consideration passing to him, either. If there was no consideration there was no enforceable contract.

2. There was a conspiracy between Herrold and the Bank to maneuver Father into a position that would enable the Bank to collect Herrold's dubious notes from Father. In support of this I used the facts Folsom and I had dug up. The Bank found these revelations so distasteful that they dropped their effort to collect on some of the notes.

3. The guaranty never became effective because the Bank never notified Father that they had received it, and never gave

him notice that they had accepted it. When they first told him they had it he repudiated it and said it had never taken effect. Under Oregon law, which controlled in this respect, it is the rule that if a man signs a guaranty of another's indebtedness, without the request of the creditor and in his absence, and without any consideration passing to the guarantor, it is only an offer, not binding on the guarantor until he has received notice of its acceptance from the creditor. Applying this rule to our case, the guaranty never took effect.

The case was tried in San Francisco and Judge St. Sure decided all of the points in our favor, holding that Father owed nothing to the Bank. The Bank appealed to the U. S. Circuit Court of Appeals, and after briefs were filed it came on for argument. The argument of the attorney for the Bank seemed rather perfunctory, and as we left the courtroom he said to me, "I have never been so sick of a case in my life." The appellate court sustained the lower court's judgment, and Father did not have to pay anything to the Bank.

Incidentally, after their defeat in court the Ladd and Bush Bank adopted a new form of guaranty. It contained a statement that the guarantor had received a consideration for signing it, and another clause providing that the guarantor waived his right to receive a notice of the Bank's acceptance of the guaranty. They closed the barn door, but too late to help them in their controversy with Father.

Newspaper Problems

When Harold and I took over the responsibility for managing the Mercury Herald, there were a number of things that needed immediate attention. The staff was disorganized, and new executives were needed. Our relations with the labor unions were very bad. Our advertising and subscription rate schedule needed readjustment. The buildings in which the newspaper was published were unsuitable, making an efficient operation almost impossible. It was our job to do something about these problems.

Staff Reorganization My 1945 report to the directors of Hayes Company from which I have quoted summarized what we did in these respects. As to the staff reorganization, the report said:

> "The organization was completely demoralized. In most instances the department heads were so inefficient it was futile to hope that they would be able to reorganize their departments. An entire new organization was necessary, starting with department heads.
>
> "The quickest and easiest way to do this would have been to sell an interest in the newspaper to some one who would take the responsibility of management. This would also have helped our financial picture.

From my personal standpoint, it would have given me more time for my law practice. I tried to find such a person but could not make a deal with anyone I was willing to trust.

"I finally decided the job had to be done without outside help, and we went to work to find new men. We now have new executives at the head of every department except the press room, and these new men have been tied into an integrated organization that is efficient and harmonious."

Labor Relations The report had this to say about labor relations:

"The disorganized condition of the business had resulted in very bad feeling on the part of employees and their unions toward the management of the newspaper. Strikes which would have been disastrous were almost continuously threatened. Union representatives from outside were frequent visitors, and there was danger of chaos.

"I felt the only solution was to work to earn the trust and respect of our employees and always kept this object in view when negotiating with them. After years of effort I believe this has now been accomplished. In the process I have had to swallow insults, abuse and humiliations, but it has been worth it to achieve the cheerful, harmonious atmosphere in which we now work. We have not had a serious disagreement with any union for many months.

"In view of the disturbed labor conditions throughout the country we may have future labor trouble. I hope not but cannot guarantee that our present happy relations with the unions will continue if labor strife prevails elsewhere."

Rate Structure As to advertising and subscription rates, the report said:

"Former executives in the advertising and circulation departments had fought against any changes in the rate structure. Such changes would have meant more work for them. The result was that rates were far too low and revenues consequently suffered.

"A complete revision of advertising and circulation rates was effected, resulting in very substantial increases in revenues without sacrificing any of the good will we wanted to keep."

Creditors Creditors were an ever present problem. Sometimes they had to wait many months before their accounts were paid.

Fortunately Lyetta was the Cashier of the newspaper, and her wisdom and diplomacy saved the situation. She persuaded the creditors to be patient and prevented law suits that would have been disastrous. She had a rough time of it.

Newspaper Buildings In the early years of E. A. and J. O. Hayes' newspaper publishing, the newspaper (both newspapers, when the Mercury and Herald were separate papers) was published in a plant situated on Lightston Street, a small alley running south from Santa Clara Street between First Street and Market Street. It was a substantially constructed building, with the press room and composing room on the ground floor and the editorial department on the second floor. As the newspapers grew the space became inadequate, and new arrangements had to be made.

Father and Uncle Everis decided to build a new building on Santa Clara Street to house the business office and the editorial department. A lot became available between First Street and Lightston Street, and they built a three story building on it. The first floor housed the advertising department and the business office; the second floor was the editorial department; the third floor contained the library and offices for E. A. and J. O. Hayes. The neighbor on the east was the First National Bank, situated at the Corner of First and Santa Clara Streets. To the west was the real estate office of James A. Clayton & Co. The Claytons were the principal owners of the First National Bank.

The old building was still used for the mechanical departments, the composing room, stereotype department and press room. The back door of this building and the back door of the new building were connected by an open area. When anyone went from one building to the other he had a walk in the open air. Necessarily, there had to be much communication between the different departments, as editorial and advertising copy and proofs moved back and forth. Besides the inconvenience on rainy days, this led to delays and inefficiency. As the community grew, the staff enlarged, and the situation became worse and worse. I felt we must do something about it.

Quoting from the 1945 report to the directors:

"The building at 30 West Santa Clara Street was of expensive construction, more suitable for an office building than a newspaper plant. The building on Lightston Street was inadequate and so far separated from the editorial and advertising departments that it made for great inefficiency. I felt these buildings must be sold and other quarters secured.

"One of the first things I did after coming to San Jose was to make an effort to sell these buildings to the First National Bank, which seemed the most likely prospective buyer. I had no success. In 1941, however, I tried again and this time was able to sell the Santa Clara

Street property to the First National Bank and the Lightston property to Woolworth. We received an aggregate of $182,000 for the property."

Perhaps I should tell a little more about the sale of the buildings. At the time the First National Bank needed additional space, and James A. Clayton and Company, our other neighbor, was also cramped for room. They divided our Santa Clara Street building between them. The sale may have been aided by the fact that the Bank applied the full amount of the purchase price as a credit on the notes of the Mercury Herald Company. This pleased everybody, including the National Bank Examiners. We had no part in the deal between the Bank and the Clayton Company. They worked this out between themselves.

The Woolworth store was on First Street adjoining the First National Bank building. The rear of their lot backed into our Lightston Street property. They were short of storage space, and our property was just what they needed. It was not difficult to sell it to them.

Of course, we could not deliver possession of the buildings until we found other quarters and moved into them. The Claytons were anxious to complete the deal, and they showed great diligence in hunting for a place for us.

A few years earlier, a food market had been built on the north side of Santa Clara Street between Almaden Avenue and Notre Dame Avenue on property that had formerly housed the Notre Dame convent. The market was in the center of the block, and its property extended through the block to Carlysle Street. A small building housing a cleaning establishment adjoined it to the east at the corner of Almaden Avenue and to the west, at the corner of Notre Dame Avenue, was a two story building occupied by a furniture store.

These were depression years, and World War II was on. The market owners decided they could not make a go of it and were willing to sell. We checked the property, and decided it could be adapted into a newspaper plant. The building was one large room which could be partitioned in any way we chose. There was room for parking in the back, and Carlysle Street provided access for delivery service. We planned to put the advertising department in front and then the editorial department, with no partition between. Then a glass partition, with the composing room behind it, which would lead to the stereotype department. Next came the press room, which was to be partitioned off, and then the mail room, through which the newspapers would pass on their way to the delivery trucks for home deliveries.

I do not remember the exact price the owners of the market asked for the property, but I think it was about $30,000. We did not have that kind of money, so the Claytons found a man who was willing to buy it and lease it to us. I said we would not go

Street property to the First National Bank and the Lightston property to Woolworth. We received an aggregate of $182,000 for the property."

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ahead with the deal unless we were given an option to buy the property. If things broke well for us I did not want to be at the mercy of a landlord who might make things difficult.

The sale went through, and we were given an option to buy the property for $41,000. We spent about $25,000 for remodeling and moving expense, but when we moved in we had an infinitely better newspaper plant and we were able to make substantial savings in operating expenses. Also, the reduction of our indebtedness made our financial statement look much better.

Purchase of the Evening News

When I first assumed responsibility for the family business, things seemed so desparate that I thought the only way out would be to sell the Mercury Herald. I did not know how long the family would be allowed to live at their Eden Vale home, and I was not even sure that there would always be food on the table. Through newspaper friends, I began to look for a possible buyer. During the next two or three years I talked about a sale of the newspaper with six or eight prospective buyers, all newspaper publishers in other cities, from the East Coast, the Middle West and California. Whenever it looked as though we were getting close to making a deal something always happened to block it. Finally I said to myself: "We are not being permitted to sell the Mercury Herald. The paper that should be sold is the Evening News, and we should be the buyers."

About this time, in 1942, Smith Davis, a New York newspaper broker, came to me to talk about selling the Mercury Herald. I told him I would rather talk about the possibility of our buying the News. I told him we would have to borrow the money from somebody, but I felt that if we owned the News and moved it into our plant, using the same equipment to publish both papers, the economies would be so great that we should have no difficulty in repaying the loan. I knew that similar consolidations had been effected in other cities and that the results had been excellent.

Davis told me that he had recently acted as the broker in a similar deal and that the purchase had been financed by the Jefferson Standard Life Insurance Company of Greensboro, North Carolina. He said that the merger had been very successful and that the insurance company was delighted with the way things worked out. Our financial statement was not good enough to justify a loan, but he said he thought the North Carolina company would look beyond that and take into consideration the probability of increased revenues and decreased expenses. I told him to see what he could do, both with the Paynes, the owners of the News, and with the Insurance Company.

Before buying the News, G. Logan Payne had been publisher of a newspaper in Washington, D. C. He died before my talk with Smith Davis, leaving his widow and his two sons as his heirs. George Payne became publisher and Robert acted as business manager,

but things were not always harmonious between them.

Davis persuaded the Paynes to agree to sell for $500,000, but they said they would not sell to the Hayeses. Davis said he would be the buyer. He would then sell to us for $532,500, keeping $32,500 as his commission. I think George Payne knew the News would be transferred to us, but I suspect Mrs. Payne and Robert were not told of it. Davis did not keep me advised as to the details of his maneuverings.

Davis went to Greensboro to discuss a loan with the Jefferson Standard people, and they showed some interest. Eventually, they loaned us $650,000, which gave us a margin of $125,000 with which to move the News into our plant and to finance the consolidation. Also, additional space would be required, and we arranged to buy the cleaning establishment next door to us, including the open space to the rear, which extended to Carlysle Street. We also exercised our option to buy the property we were occupying, which gave us ownership of all of the block excepting a strip along Notre Dame Avenue.

In my 1945 report to the directors I reviewed the transaction as follows:

> "Many of you know that long before I took responsibility for the Mercury Herald I had urged the purchase of the News. This was impossible until the steps outlined above had been taken so that our financial affairs gave us a basis on which we could build. Even then it took a combination of many fortunate circumstances to bring about the purchase. It required inharmony in the Payne family which made George Payne willing to sell. It required the help of a very competent newspaper broker who knew how to handle George Payne. And above all it required financing.
>
> "The months of negotiations that led up to the purchase of the News required such delicate handling that I did not feel I could tell any of you what I was doing. Not would any premature talk have prevented the Paynes from selling, but it might have made the financing more difficult.
>
> "The Paynes finally agreed to sell the paper to Smith Davis, who agreed to sell it to us for $532,500. I also arranged to borrow $650,000 from the Jefferson Standard Life Insurance Company, a sum sufficient to pay the purchase price, together with some of our other obligations. I had asked for $750,000 which would have paid almost everything off, but could get no more than $650,000. In fact, the vice-president of the Company, who came to San Jose to inspect the property, was very doubtful about lending this much. In order to succeed I had to go to Greensboro, N. C. to talk personally with the president of the insurance company. He in-

structed the officers to make the loan, but required as additional security a $100,000 life insurance policy on my life to protect them in the event of my death.

"After everything was arranged I told the rest of you what I had done and asked for authority to proceed. Some of you were very doubtful about the wisdom of taking on an additional obligation at that time, 1942, in view of the uncertainties of the war. I was so sure I was right that I carried my persuasion to the point of insistence.

"Concededly, the war has been no hindrance to our successful operation, and in some respects it has helped by forcing economies. However, I am sure none of us now regrets the purchase of the News, even though it meant increasing our indebtedness. If we had continued in a competitive situation we could not possibly have achieved our present comfortable financial position and our present high credit rating."

The circumstances surrounding the transfer of ownership of the News were somewhat unusual. The American Trust Company was named as trustee in the deed of trust we gave to the Jefferson Standard company to secure the payment of the money we were borrowing, and the bank was asked to make the payment to the Paynes. Some time later Don Lauer, a trust officer of the bank whom I knew well, told me he had been designated to close the deal. He said the Paynes told him they would not accept a check or checks, even if certified, but demanded currency. He put $500,000 in bills in a suitcase and went to San Jose. He met with the Paynes and emptied the suitcase on the table. He was told to divide the money into three stacks, one for each Payne. They they started to argue about who owed how much to to whom. One would say, "George you owe me $500 for so and so." If the debt was acknowledged, George would pass over the money. This went on for some time until they finally got things settled, and then the meeting broke up. Don Lauer told me that in all his banking experience he had never seen anything like it.

Some time later I learned of another strange sidelight to the transaction. Some weeks after the sale was completed Smith Davis and George Payne opened a joint office in the Bank of America building in San Jose. Eventually I saw Davis again, and I asked him why he needed an office in San Jose. After some hesitation, he confessed that in negotiating with George Payne they had decided that with my limited newspaper experience I would never be able to make the combined operation a success, and when the insurance company foreclosed Payne and Davis would be standing by to take over. They agreed to form a partnership, and that was the reason for the office. Davis told me he never really meant it, that this was just a tactic to get Payne to agree to sell. I was not entirely convinced.

Upon the completion of the sale we had to decide how much of the equipment from the News plant would be useful to us and how to organize the staff. The equipment was not much of a problem, because both papers would use the same press and typesetting machines, which would simply have to work longer hours. As to manpower, it meant we needed two shifts instead of one.

In the advertising department we needed only one staff, which handled the advertising for both papers. Advertisers were allowed to use only one paper if they chose, but we encouraged them to run the same advertisement in both papers by giving them a reduced combination rate. Although in some departments we were able to use most of the employees of the News, in the advertising department there was not room for all of them.

The editorial departments of the two papers were kept entirely separate. We remembered the Morning Mercury and the Evening Parrot, and we wanted no more of that. We permitted differences in editorial policy, although we probably would have interfered if one of them had supported a communist for President.

Previously, when we were reorganizing the staff of the Mercury Herald, we had employed Kenneth Conn as our managing editor. He had had experience as an editor on a number of papers in different cities, including Des Moines, Iowa and Salt Lake City, Utah. In both of those cities the morning and afternoon newspapers went into a combined operation while he was there. His advice was very valuable to us and we made him executive editor, with authority over both papers. As this is written, 1971, he is still serving in that capacity.

After the purchase of the News there was a great improvement in our financial position. The newspapers were becoming profitable, and we were able to pay our bills as they came due. Harold and I had had no raise in pay, and I, at least, was going deeper in debt. It was decided that we should be given a share in the increased profits. Our auditors determined the average net profits of the Mercury Herald Company for the years from 1938 to 1942. When next profits were determined for 1943, this earlier profit figure was to be deducted, and Harold and I would be paid 15% of the increase, ten percent to me and five percent to Harold. The same formula would be followed in subsequent years. Harold agreed that this division was fair, and the directors of Hayes Company approved the arrangement.

In later years this profit sharing arrangement was attacked by some members of the family, but nobody objected at the start. Harold did not feel abused, as is shown in statements he made in a letter he sent to the directors in 1945. Burying my modesty, I quote from it:

> "I was one of the first ones that encouraged Elystus to come and become active in our operations. I knew this was the only way we could ever survive. It has

been a great pleasure to have worked with him and our relations together have been excellent. I am one that has been so close to the picture that I probably appreciate more than the rest of you the sacrifices he has made and the wonderful work which he has accomplished. If it was not for him we would have absolutely nothing."

* * * * * * *

When I first became involved in the family problems it seemed to me that it would be impossible to work things out. I soon developed a system that I followed from that time on. Whenever something had to be done about a situation and I did not know what to do, I would try to think it out from every angle, considering the possible advantages and disadvantages of various courses of action. Then, without trying to decide which way to go, I would relax, putting my conscious mind to rest, and wait. After a time an impression would come to me as to which course I should take, and the feeling would grow stronger and stronger until it brought absolute conviction. Then I would act. In retrospect, I cannot recall ever having made a mistake when I waited for this feeling.

In view of this I do not believe that I deserve the credit for straightening out the family affairs. I have referred to my faith in guardian angels, and I know they, not I, deserve the credit. Who could ask for a better guardian angel than Grandmother Hayes?

YEARS OF GROWTH FOR THE NEWSPAPERS

The purchase of the Evening News did not immediately solve all of our problems. We still had large indebtednesses, and with the war continuing there was no quick way to pay them. Wartime dislocations and shortages presented us with many challenges. As an example, the newsprint produced by American paper mills was not sufficient to supply the needs of all the country's newspapers. We had always bought our newsprint from the Crown Zellerbach Company (originally the Crown Willamette Company), but the time came when they told us they would have to ration our supply. The amount we were allocated was much less than we needed to publish papers of the size we had been producing, and if we cut down on the number of pages we would have to refuse some of the advertising offered to us. We could not afford to lose this revenue, so I began to look for other sources of supply.

Through a friend, I learned that a small paper mill in Oregon City might be able to help us. I got in touch with them and was able to arrange to buy some newsprint, not a lot, but enough to help. To supplement this new supply we had to look to Europe.

Sweden had been shipping newsprint to the United States for many years, but when I checked with the representatives of the Swedish paper mills I was told that they could not sell to new customers; that all of their product must go to those who had been buying from them before the war. Then I learned that Finland had been increasing its newsprint production, and I got in touch with the New York representative of a Finniah firm. They agreed to sell us the newsprint we needed, and the supply from Finland carried us through the difficult years.

To show the severity of our problem before Finalnd came to our resuce, there was a time when the newsprint shortage was so critical that we were forced to curtail our advertising. Rather than making drastic cuts in the number of pages throughout the week, we decided to make the Saturday paper bear the brunt of it. We dropped all display advertising on Saturday, limiting the paper to eight pages. Some of our subscribers thought they were being short-changed, but this got us through. I do not know of any other newspaper that used this method to solve its problem, but it did the job for us.

As I have said, our financial position was greatly improved after we purchased the News, but there were other problems, and they did not disappear overnight. The war was still on, and the wartime restrictions prevented us from doing many of the things that should have been done. We were severely cramped for space, and our press was inadequate, but this was no time to build or to buy new equipment. However, there was no reason why we should not plan for the future.

We had already purchased the property to the west of us on

Almaden Avenue, and this could be used for expansion, but the logical place to install a new press, when we finally bought one, would be on the Notre Dame Avenue side of the block. There were three separate parcels of property adjoining us on the west, each with different ownership.

The building on the corner of Santa Clara Street and Notre Dame Avenue was jointly owned by two families, the Normadins and the Campens, each family owning a one-half interest. We learned that the Normadins were anxious to sell the property, but the Campens would not agree. There was a stalemate, and the Normadins were frustrated. When we suggested that they sell their half-interest to us they were delighted and the sale was closed, making us joint owners with the Campens. We then tried to buy the other half-interest, but the Campens would not even discuss it with us. We knew that we would soon need the building for our expansion program, so we commenced a legal action, asking that the property be partitioned and divided between the two owners, or, if that was impractical, we asked that the court order that the property be sold at auction, with the proceeds of the sale being divided. The California law permits this with real property when there is more than one owner and the owners cannot agree on what is to be done with the property. The Campens could not block the sale, and at the auction we were the high bidders, so we became the sole owners. There was spirited bidding, and the price was run up so that the Campens got a very good return for their half interest.

We had no trouble buying the lot at the corner of Notre Dame Avenue and Carlysle Street, and that gave us ownership of the entire block except for the lot on Notre Dame Avenue between the other two parcels. This was the logical place for the building we planned to construct to house our proposed new press. The lot was owned by Alden Campen, a member of the family who had been forced to sell their half-interest in the corner building, and he was unhappy about that. He refused to sell the lot to us at any price. The Harold got an idea. A friend of his, William Scialacci, owned a market just across Notre Dame Avenue, and he agreed to try to buy the lot from Campen and turn it over to us. The plan worked, and we became the owners of the entire block. Campen never did develop any affection for the Hayeses, but he was paid substantially more than the lot was worth, so we did not have any feeling of guilt.

Eventually the war ended, and it was time for us to put our expansion plans into effect. We decided that the first step should be to enlarge the space available for the editorial department and the business office by using our property on Almaden Avenue. There was some difference of opinion as to whether we should remodel the existing building or tear it down and build a new one. Quoting from my June, 1949 report to the Hayes Company directors:

"A building committee consisting of Harold, Sibyl and Loy was appointed to consider the question as to how we should proceed and to supervise the work, subject to the general control of the board of directors. The committee recommended that the existing building be remodeled and a new addition be built to the rear of it, the whole to be connected with our present office. The directors accepted this recommendation and work commenced. As it nears completion it is obvious that we will have an efficient and comfortable newspaper plant, entirely suitable for an operation and community such as ours. The construction and remodeling work now underway (exclusive of the press building not yet commenced) will cost around $300,000 or a little more."

Money had to be provided to pay for remodeling and enlarging the building. We had made regular payments to the Jefferson Standard Life Insurance Company on our bonds, sometimes paying more than was required if we had extra money, but I felt it was too soon to ask the company for an additional loan. I hesitated to go to the First National Bank of San Jose because I did not trust all of its directors. After our earlier experience when some of them had tried to sell us out, I feared that those directors might conceivable control the situation if another emergency arose. I was afraid to risk going deeply in debt to the bank again.

The Central Bank of Oakland was then owned by the Transamerica Corporation, whose president, Frank Belgrano, was my close friend. I went to him, and the Central Bank loaned us $200,000, which carried us through. We completed and paid for the project, although we were left with very little working capital.

The time soon came when we had to do something about the new press and additional typesetting equipment. The directors decided to go ahead, and we signed a contract to buy a Goss press which was to be constructed for us. The cost of the press, together with electrical and stereotype equipment, was over $400,000. The cost of new linotype machines totaled $116,000. Estimates of additional remodeling expense and the cost of the new building to house the press totaled $140,000. Obviously, we had to borrow a lot of money from somewhere, and the place to go was to the Jefferson Standard Life Insurance Company. Our indebtedness on the bonds had been substantially reduced, and the real property we had recently acquired gave us more collateral to offer for the loan. In the letter to the directors of June 15, 1949 I said:

"Because of our need for additional money I went to Greensboro last month and talked with the Jefferson Standard Life Insurance Company who hold our outstanding bonds. I hope they will be willing to lend us the money we need. They are having an appraisal made of our real property and I have recently mailed

them information they have requested about our business and the community. Messrs. Skinner & Hammond estimate our requirements to complete our expansion program at $714,482. This will permit the payment of our indebtedness to the Central Bank and will also retire our present bonds of which $130,000 are still outstanding. Messrs. Skinner & Hammond, and the officer of the Central Bank agree that it would be wise to ask for a total loan of $750,000, the money to be drawn as we need it and interest to commence running only as the money is actually advanced. I hope we shall not need all of this but I believe it is only prudent to arrange to have available all the money we may need, taking only as much as we require. If the Jefferson Standard Life Insurance Company is willing to make the loan the details will be worked out and resolutions will be submitted to the directors which they will have to adopt before the loan can go through.

"The size of the suggested loan does not disturb me because the amount required on principal each year will be substantially less than the payments we have actually made on our present bond issue and our earnings are continuing at a rate almost equal to that of last year. Further, when this present program is completed we should be equipped so that we shall not need to make any major capital expenditures for a good many years."

The Insurance Company agreed to make the loan, and new bonds were given to them for the increased amount. However, one unforseen complication arose before the transaction was completed.

The members of the family knew that the newspapers were now making a profit and that Harold and I were receiving a share of the profits. Everyone was getting dividends, but some of the family thought it was unfair that Harold and I were getting more than the rest of them. It did not occur to them that some were making a greater contribution than others. Some months before the dissidents had told Folsom that they thought Harold and I were getting more money than we should and asked him to come down from Oregon to do something about it. Folsom had not been in close touch with things in San Jose, but he came to investigate. After getting the facts, he told the dissidents that the profit sharing agreement was reasonable and proper. They were not satisfied, and when we were negotiating the new loan with the Jefferson Standard Company a letter was written to the company stating that Harold and I had been taking money from Hayes Company to which we were not entitled; in effect, implying embezzlement. An officer of the Insurance Company came out from Greensboro to consider our application for the loan, and the first thing he did was to show me the letter. I suggested that he talk with our auditors, Messrs. Skinner & Hammond, and when they gave him the facts he was completely satisfied. There was no further complication, the loan was closed, and our expansion program was completed.

Rebuilding the Prestige of the Newspapers

Soon after I became active in San Jose I decided we must make a strenuous effort to rebuild the prestige of the newspaper, then only the Mercury Herald. Uncle Everis had not been active in its management for some time, and Father's concern about financial problems had been so great that he spent much time at Sierra City trying to find an ore body that could be used to pay the pressing debts. The editorial policy was largely decided by others, and I felt that many mistakes had been made. The editorials no longer exerted the powerful influence in the community they once had. Formerly, the newspaper's endorsement of a condidate for public office usually meant that he would be elected but now some candidates felt that an endorsement by the Mercury Herald was a handicap. I learned that there had been cases in which candidates who would normally be endorsed had asked that the newspaper's endorsement be withheld. I felt that something must be done.

Aside from politics, I felt that the newspaper had not been as active as it might have been in community affairs. As I travelled around the state I studied the newspapers in the different cities and towns, and it seemed to me that when the local newspaper was alert and progressive the community moved ahead, while a stagnant newspaper meant a stagnant community. For example, the Monterey newspaper, then owned by Phyllis and Allen Griffin, was alert and progressive and its area developed rapidly, while Santa Cruz, a comparable town, had a sleepy newspaper, and the community stagnated. I decided we must do more than we had been doing to foster community progress in San Jose.

In community affairs, I established friendly relationships with city and county officials and with the Chamber of Commerce. I tried to convince them that the newspaper was eager to help with any project that was in the best interest of the community as a whole. Soon community leaders were coming to us to discuss their plans, and we helped with many of them.

In the post-war years San Jose and Santa Clara Valley had a tremendous population and industrial growth, and we were given credit for having made a large contribution to it. To illustrate, I shall tell of two instances of our activity.

During the war the West Coast headquarters of the U. S. Army was established in San Jose. Many staff officers and other military personnel were stationed in San Jose, and they came and went, so that a large number of them got acquainted with the Santa Clara Valley. Some of our employees were in close touch with the army headquarters, and they told me that practically all of the army men said that when the war ended they wanted to come to the Santa Clara Valley to live. I thought, "If all of these people move here, where are we going to find jobs for them?" We were almost entirely an agricultural community, and the canneries and packing houses would not be of much help in providing jobs for thousands of new residents. It seemed obvious that we needed new industrial

plants. I went to Russell Pettit, the manager of the Chamber of Commerce, and he agreed that something must be done. We talked with community leaders, and money was raised to start an advertising campaign in business publications with nation-wide circulation to point out the advantages of establishing plants in the Santa Clara Valley. It was suggested that companies should investigate and be prepared to move in when the war ended. Many other communities started similar campaigns, but not until after the war ended, and we got the jump on them. The tremendous industrial growth in the Valley in the fifties and sixties got its start from this campaign.

While perhaps it was flattering to hear Russell Pettit tell people that I was largely responsible for starting the movement that led to the tremendous growth, I must confess that I have had conflicting emotions when driving through the valley, with its subdivisions, factories and smog, thinking of it as it was, with the orchards in bloom and the open fields covered with mustard, poppies and lupin. I wonder whether we did not make a mistake when we started our campaign for growth.

Another project resulted in the establishment of a joint city and county government center on North First Street near Rosa Street in San Jose. Prior to 1947 the Santa Clara County officials and courts operated from buildings located near St. James Park. The County Court House and Hall of Records were on First Street and the Hall of Justice adjoined them on Market Street. The San Jose City Hall was at Market Street and Park Avenue. All of the buildings were old, some a fire hazard, and with the growth of the community there was need for much additional space. It was assumed that new buildings would be built near the old ones, but members of the County Planning Commission came to me with a different idea. Perhaps I should explain why they came to me.

During World War II some members of the federal administration in Washington became concerned over the shifting of more and more governmental functions to the federal government. They felt this was expensive and inefficient and that local communities should carry a larger share of the responsibility for the operation of branches of government serving them. The federal officials decided to set up local committees in five counties in the United States which would make a study of government in their areas to see whether they could suggest a way in which some government functions could be transferred to the local communities. The counties selected were in Minnesota, Indiana, Georgia, Washington and Santa Clara County in California. A Federal Council on Intergovernmental Relations was formed, and its director, Major Walker, came to San Jose to discuss the formation of the local council. A group of community leaders attended a dinner at which Major Walker told of his organization and its objectives. Those in attendance agreed that the project was well worth while and should be tried in Santa Clara County. A nominating committee of three was chosen, one selected by the County Planning Commission, one by the San Jose Planning Commission and one by the San

Jose Chamber of Commerce. From a list of 100 suggested names the committee chose twelve to serve as the Santa Clara County Council on Intergovernmental Relations. I was one of the twelve selected, and I was elected chairman.

For many months we studied the hodgepodge of governmental units serving the people of Santa Clara County, and we counted 539 of them, including federal, state, county, municipal and special districts. There was almost no coordination, and many were interfering with the effectiveness of others. I had started with the hope that we could find a way to move many of the governmental functions from Washington and Sacramento to San Jose, but it soon became apparent that unless the different branches of local government could be organized and coordinated to operate efficiently, it would be disastrous to give them new responsibilities. I felt our first job was to straighten things out at home.

It was at this time that members of the County Planning Commission came to me with the suggestion that a Government Center be established at First and Rosa Streets. I told them I agreed that we needed a new Government Center, and I hoped that housing city and county agencies in the same area might lead to cooperation between them and lead to the elimination of conflicting policies and overlapping activities. I asked whetehr it would not be more logical to establish the proposed Government Center near St. James Park where the county buildings were already located, rather than to start from scratch at the edge of town. They had estimates as to the land area that would be required for new buildings and for parking space and estimates of the cost per acre of land which would be needed. Their survey showed that at least 12 acres would be required for the buildings and at least 28 acres for parking. They estimated that land in the City Hall area, one of the suggested sites, would cost $108,600 per acre; that land in the St. James Park area would cost $192,00 per acre; and that the suggested First and Rosa Street site could be bought for $3,400 per acre. I could not argue with those figures, and it seemed clear that it would be their site or none. I was sure we could not raise the money to pay for the other sites. I told them I would help them.

When the newspapers commenced giving publicity and editorial support to the new Government Center project there was much opposition. The lawyers said the Center would be too far from their offices, and many others felt they would be inconvenienced. The merchants felt it was an advantage to them to have the government buildings close to their stores, and they feared that the proposed move would injure their businesses. Our largest advertisers formed a committee to meet with me to discuss the project. They told me of their objections and fears. I asked whether they thought new government offices were needed, and they agreed that they were. Then I told them the story of how the project had developed; that I had thought the Center should be near St. James Park; how the County Planning Commission had come to me with the

cost figures, and since I could not dispute them I had agreed to go along. I told them that if they could figure out some practical way for us to build a Center in the downtown area at a cost that would not be prohibitive I would support their project instead of the First and Rosa Street location. I suggested they see what they could develop and come back to me. I never saw the committee again and heard no further criticism from the merchants.

A new Government Center was built at First and Rosa Streets and the city and county agencies were adequately housed. However, we were disappointed in our hope that propinquity would lead to coordination and efficiency. Things went on much as they had before, but at least we had some new government buildings.

Our involvement in community activities did much to restore the prestige of the newspapers, but I felt that we must rebuild our influence with the voters so that we could help to elect capable men to public office. This was no new thought for me. In 1933, shortly after the Mercury Herald was transferred to Hayes Company and before I had assumed any responsibility for the paper, I became so concerned about the newspaper's loss of prestige that I wrote Father a letter urging him to do something about it. Most of my criticism was directed toward the editorial page and Mr. Allen, who wrote most of the editorials. He was a high official of the Anti-Saloon League, and his writing reflected his personal views. This was just after the repeal of Prohibition. In my letter to Father I wrote:

> "I do not think your editorial page is any asset to the paper. The only editorials I have read for years that have any punch to them (and I read most of them) are the front page editorials that you yourself write. Mr. Allen's editorials are logical and well informed and they make interesting reading to Mr. Hoover and to you and me, but as far as the general reader is concerned they are a total loss. His style is far too dry. In fact, I think that his editorials epitomize the lack of virility that seems to be increasing in the paper. Mr. Allen acts as a sleeping potion to the readers. I venture to guess that not one reader out of a hundred has ever finished one of his editorials. After the second sentence they wander elsewhere. Furthermore, while his Anti-Saloon League connection might have been an asset to the paper at one time, with a change in sentiment I think that it should be soft pedalled. Irrespective of how people felt a few years ago, the Anti-Saloon League badge affects a large majority of your readers (and advertisers) as a red flag does a bull."

My letter did not seem to have any effect and things went on much as they had before. When the Roosevelt-Landon election of 1936 resulted in a debacle for the Republicans I tried again. Father was still President of the Mercury Herald Company, and on November 6, 1936 I wrote him, saying:

"Naturally the result of this election makes us consider the proper policy of a newspaper, particularly a Republican newspaper, in its handling of national politics on its editorial page. I believe that the decision that is now made on this question will certainly have far reaching effects on the future of the Mercury Herald.

"The election has proved a number of things beyond the slightest doubt to anyone who is willing to look at the matter from a realistic viewpoint. One is that, for the present at least, conservative Republicanism of the McKinley days, or even of the Coolidge days, is extremely unpopular with the voters, including a big majority of those who are subscribers and potential subscribers to the Mercury Herald. I believe, and believed during the campaign, that the Republican party was making a major political blunder in criticizing Roosevelt's attempts to enact so-called social legislation without suggesting or endorsing any substitute proposals. I think the tremendous swing to Roosevelt that took place in the last few weeks of the campaign proves beyond any question that this policy was a mistake, and I believe that the landslide was caused by resentment of the voters toward the type of campaign put on by the Republican party. This is parenthetical, but if the Republican party had indicated sympathy with the objects Roosevelt has been trying to accomplish, and at the same time criticized his methods of trying to accomplish these objects, or his impetuosity in trying to accomplish them too fast, the election would have been very close.

"I believe that the Republican newspapers have not only proved the futility of trying to stem the tide of liberalism (I do not mean radicalism), but they have succeeded in discrediting their influence so thoroughly that it is going to take time, coupled with intelligent effort, to restore their influence with the public. The feeling of the people toward the newspapers in the latter days of the campaign was indicated by the booing that the newspaper correspondents covering the speeches of the candidates received wherever they went. In San Jose yesterday I learned that the abuse the Mercury Herald has been receiving from the people coming in to pay their bills, and the gratuitous insults coming in over the telephone have been so bitter that at times they verged on obscenity. To me, this means we have a problem that must be met immediately.

"When I got home last night I read Mr. Allen's editorial in Thursday's paper. I know, of course, that you did not see this editorial before it was published. My feeling about it has nothing to do with what it said, but I am terrified at the implication contained in the paragraph that I have marked in the enclosed copy. My fear is that

Mr. Allen feels it to be the duty of the Mercury Herald to act as a watch dog, snapping at every rustling in the underbrush. If anything like this happens I consider that within two years the influence of the Mercury Herald in the community will be practically at an end.

"Mr. Allen is a real political philosopher and analyst, and in most cases I thoroughly agree with his logic. However, he is primarily a theorist rather than a realist, and if ever the Mercury Herald had to look at things from a realistic standpoint today is the day. At times we have lost touch with the public pulse, and this sometimes has led us into mistakes. Mr. Allen's ever present tendency to use the editorial columns of the Mercury Herald as a forum from which to expound his own political philosophy is always interesting to the philosopher, is usually harmless to the newspaper, and on some very rare occasions actually does good; but at this particular time it can do the paper tremendous damage. The time has come when we should think of the effect of our editorial policy on the newspaper.

"As a matter of fact, this election should certainly prove to us that the only effect of Mr. Allen's attempt to cram his views down unwilling throats is to make people angry at the newspaper. I do not believe that all of his editorials during this campaign made one vote for Landon. They pleased many Republicans, whose good will the Mercury Herald already has, and they antagonized many other Mercury Herald subscribers, with a big net loss in good will.

"Now to be specific in my views. I believe that the Mercury Herald should be Republican, as always. I believe that for the present we should follow the policy you adopted after the 1932 election and avoid any criticism of the President or his policies. I believe that we should be very careful about criticizing any proposed New Deal legislation in the next session of Congress (we certainly cannot have any effect on its chance of passage) and that if matters arise upon which you feel we cannot keep silent, our criticism should be without venom and constructive rather than carpingly destructive. I beleive that whenever the occasion arises Roosevelt should be praised in the editorial column. In other words, I do not believe that we should sit on the sidelines and scold simply because we disagree with a part (or even all) of Roosevelt's philosophy of government.

"In the past Mr. Allen has critized the tendency to adopt so-called social legislation. Much of it is a change from the principles of government that we have believed in the past. I think, however, that tendency in that direction can no more be stopped than can

automobiles and radio be abolished. I should hate to see the Mercury Herald be left as far behind as the die-hard who insists on doing his travelling on horseback.

"I think the trend of the times is proved by the fact that of the old guard Republican senators, not one remains. The Republicans left in the Senate are of the Norris-Borah type. We may not like this, but we must face it.

"Further, I believe that at least 90% of the young voters voting for the first time in 1936 voted for Roosevelt. I think this is one reason the straw polls went so far wrong. And I believe we must realize that increases in our newspaper circulation, and to some extent the maintenance of our present circulation, must come from these young people. Particularly should we be careful not to antagonize the young voters who in the normal course of things should be more plastic, and whose views may be gently shaped in the future. It will not be many years before these are the people who will be the backbone our circulation. Let us try to handle ourselves so that we may build their confidence, just as you built the paper to earn the confidence of the earlier generation when you took it over."

Not long after this Mr. Allen retired as editorial page editor, and I assumed responsibility for the editorial policy of the paper. I felt it was time to start a campaign to rebuild the newspaper's political prestige. I was convinced that the Republicans could no longer win elections with reactionary candidates. Before the Great Depression, Roosevelt and the New Deal, California was a Republican state, usually electing Republicans to state offices, to the legislature and to Congress, and voting Republican in the Presidential elections. In the 1930's, however, there was a drastic reversal and the Democrats began to do most of the winning. Most of the Republican leaders in California refused to change, and they continued to look for "safe, reliable, conservative" candidates. I felt we could not follow this course in Santa Clara County.

My first step was to hunt for community leaders who were interested in electing honest, intelligent, capable men (this was before Womens' Lib) to public office. Many were willing to join me in the effort. Most of them were business and professional men, but some came from the labor unions. We played down party affiliation, and we included both Democrats and Republicans. In view of the recent Democratic landslides I thought we should be pretty much non-partisan. We had no formal organization, but when an election was approaching we would discuss possible candidates and agree on the one who was best qualified. Then a committee would be appointed for that one election, and it would carry on. In a surprisingly short time our candidates began to win, and it was not long before practically every candidate endorsed by the Mercury

Herald was elected. It was just a coincidence that most of them were Republicans. Naturally, there was a great rise in the newspaper's prestige, and it was a real satisfaction when the voters began to vote as we suggested on almost all of the ballot measures.

The administration in Sacramento also concerned me. Governor Olson, a Democrat, was weak and ineffective, and seemed totally unable to cope with the problems which had arisen as a result of the depression and the war. Before the gubernatorial election of 1942 I began to wonder whether something could not be done to bring about a change. Governor Olson was obviously going to be the candidate of the Democrats, and the Republican party in California was in chaos. The problem was to find a man who was honest and able, without the stigma of extreme conservatism that would repel Democratic and independent voters whose votes would be needed to elect him.

The only elected state office holder in Sacramento who was a Republican was Earl Warren, the Attorney General. There had never been any question as to his ability and integrity, either as District Attorney of Alameda County or as Attorney General. Also, there was no other Republican in California who was as well and favorably known throughout the state. There had been some mention of Warren as a possible candidate for Governor, and it seemed to me that he was the only man who would have a chance to beat Governor Olson.

As a start, I wrote an editorial arguing that California could not stand four more years of the Olson administration; that Earl Warren was the only man who would have a chance to beat Olson; that he should be drafted as a candidate for the Republican nomination; that partisan political considerations should be forgotten, and, for the good of the state, all voters should unite to elect him. After writing it, I phoned Earl Warren and read the proposed editorial to him. I asked his permission to print it, and he said to go ahead, and it was published as a front page editorial over my signature. Other newspapers throughout the state joined the movement, and soon Warren announced his candidacy. He won the Republican nomination and was easily elected Governor. He served as Governor for ten years until President Eisenhower appointed him Chief Justice of the United States Supreme Court, and in my opinion he was the best governor California has had since I became old enough to be aware of what was going on in Sacramento.

After Warren's victory Republican candidates began to win in California elections, and they no longer felt they had to hide their party affiliation.

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With the purchase of the News, the completion of our building and expansion program, the arranging of permanent financing, and the rebuilding of prestige, the newspaper's problems were largely solved. The papers continued to grow in circulation and advertising, and were making a satisfactory profit. There were no more sleepless nights worrying about how we were going to get along until the end of the month. There were corporate and tax problems, but the big remaining worry was the growing number of arguments in the Hayes family. We were no longer the harmonious unit we once were. Distasteful as it is to discuss it, I feel this record would be incomplete unless mention is made of the disagreements. They were what caused us to decide we must sell the Mercury and News.

HAYES COMPANY AND ITS STOCKHOLDERS

When Hayes Company was organized in 1931 it issued 1200 shares of its capital stock at $1.00 per share. The stock was equally divided between the two families, 600 shares going to the six E. A. Hayes children, 100 shares to each, and 120 shares to each of the five J. O. Hayes children. Thus the corporation commenced business with a total capital of $1,200.

After its assumption of the debts of E. A. and J. O. Hayes the Company operated at a net loss, with ever increasing indebtednedd, until the purchase of the Evening News in 1942. Meanwhile, it was obligated to make annuity payments of $4,000 per month, or $48,000 per year, to E. A. and J. O. Hayes. There was never enough money available to pay the full amount, and only enough was paid to keep Eden Vale operating and to enable the family to survive. The amounts unpaid were credited to E. A. Hayes and J. O. Hayes on the Company's books. These credits grew to sizeable amounts and E. A. and J. O. Hayes decided to make gifts of the credits to their children.

Prior to the organization of Hayes Company Father and Uncle Everis had helped their children from time to time by advancing money to them when it was needed for emergencies. They always kept a careful record of the advances, and when their property was transferred to Hayes Company they signed a statement showing the amount due from their children. These amounts were entered on the Company's books as debts of the children to the Company. The obligations were listed as follows:

Anson C. Hayes	$23,784
Harold C. Hayes	6,255
Loy B. Hayes	160
A. F. Hayes	8,980
E. L. Hayes	7,699
Miriam Hayes Kester	1,463

The statement also listed sums owing by E. A. and J. O. Hayes to members of the family as follows:

Sibyl C. Hayes	$ 6,463
Phyllis Hayes Griffin	1,566
Mary B. Hayes	2,000
Clara L. Hayes	20,525
Almon E. Roth	1,000

Other than the obligation to Almon E. Roth, these credits arose from money loaned to the family by various relatives. Later they were transferred to those listed. Almon Roth's credit represented an attorney's fee he earned for work done in straightening out title problems at the time of the purchase of the Labish property.

Incidentally, in October 1939 when there was no money for

family expenses Al loaned an additional $1,500 to the family. The $2,500 was repaid in October, 1942 after our financial position was improved by the purchase of the News. In my letter to Al accompanying the check I said:

> "All of us are very grateful to you for making this advance to our parents at a time when we did not know where to turn."

Our parents' gifts of the unpaid annuities to their children eventually wiped out the charges against all of them except Anson, and credits kept building up. After Mother's death the indebtedness to her was credited to her children, and eventually Aunt Mary's credit was transferred to her children.

After 1942, when the newspapers began to make substantial profits, our tax advisers told us we should do something about our corporate structure. They said we could make substantial tax savings if we merged Mercury Herald Company, Hayes Labish Farms, Hayes Chynoweth Company and Sierra Buttes Canal and Water Company into Hayes Company, so that the expenses incurred everywhere could be deducted from the earnings of the newspapers. They also suggested that we should increase the amount of capital invested in Hayes Company, because at the time the tax exemption of a corporation was based on the amount of its invested capital. Following this advice we effected mergers so that Hayes Company eventually owned all of the property.

We also issued additional capital stock. Skinner and Hammond, our auditors and tax advisers, computed the book value of Hayes Company's outstanding capital stock and told us that the shares originally purchased at $1.00 per share were now worth $350.00 per share. We decided to issue 900 additional shares and to sell them to the stockholders at $350 per share, to net the corporation $315,000 in increased capital. 450 shares were assigned to the E. A. Hayes children and 450 shares to the J. O. Hayes children. Payment for the stock was to be made by applying credits on Hayes Company's books toward the purchase price. In a few cases, including my own, the credits were not quite enough to make full payment for the stock, and the balance was paid as new credits accrued.

Anson had died before the new stock issue, leaving a substantial indebtedness to Hayes Company. The E. A. Hayes children decided that the five survivors should each buy 90 shares, the same number assigned to each of the J. O. Hayes children. Thus each of the ten paid $31,500 for the new shares. After the new issue there were 2100 shares outstanding, the five surviving E. A. Hayes children owning 190 shares each, the five J. O. Hayes children 210 shares each, and Anson's children, Anson, Jr. and Janet, 50 shares each, making a total of 1,050 shares owned by each family.

Our corporate reorganization went smoothly except for one incident. At the time the Mercury Herald Company was merged into

Hayes Company the newspaper company owed a substantial sum of money to the Crown Zellerbach Company for newsprint purchases. Shortly before the merger we gave the paper company a note for the indebtedness, payable in six months. I do not remember the exact amount of the note, but I think it was between $25,000 and $50,000. The Zellerbach Company learned of the merger, and their treasurer came to San Jose, breathing fire. He asked me how we dared to do such a thing to them. They had extended credit to the company that owned the newspapers, and now the assets of that company were mixed up with a lot of other properties they knew nothing about. I had never met the treasurer before, my dealings having been mostly with a vice-president, Jerry Young, and our relationship had been most friendly. In fact, he once asked me to give John D. Zellerbach's son a job on our newspaper, which I did, even though Kenneth Conn, our editor, had some misgivings. The treasurer's attitude was something new to me, and I did not like being scolded. I told him the note would be paid in full when it came due, or if they were worried about it and would discount it we would pay it at once. We did not have the money, but our financial condition was so greatly improved that I was confident I could borrow from the bank.

The treasurer quieted down at once. He said he would talk to the officers of his company. The next day he phoned, saying to let the note ride until it matured. Needless to say, we paid it in full on its due date.

Tax Problems

When the federal Internal Revenue Bureau learned of the transfer of the E. A. and J. O. Hayes property to Hayes Company their agents began to investigate. They placed a value on the property and said that Hayes Company had not paid an adequate price for it. They ruled that E. A. and J. O. Hayes had made a gift and assessed a large gift tax against them. This was in 1937, and since we had no money we had to fight the claim.

At a hearing before the Tax Court in San Francisco there was evidence as to the value of the properties transferred, and we claimed that their value was less than the total obligations assumed by Hayes Company, which were: (1) the assumption of the debts of E. A. and J. O. Hayes; (2) the agreement to pay annuities of $48,000 per year until the death of the last survivor of the sellers; (3) the right of the sellers to occupy Eden Vale and to use its parks, gardens and orchards during their lifetimes, with all expenses, except household expenses, to be paid by Hayes Company; (4) the right to use office space in the Mercury Herald building in San Jose. We had an insurance actuary as a witness, and he testified concerning life expectancies and the value of the annuities. We thought we had made a good case, but the Tax Court decided against us, ruling that a gift tax should be paid.

We appealed to the Board of Tax Appeals in Washington, and there we were successful. The Court ruled that the total value of

the annuities and other rights given to the grantors was $512,905.48. Thus the total consideration given for the property was $1,098,932.88, which was more than the value of the property transferred, although our margin of safety was very small. The court held that there was no gift, and therefore no gift tax could be levied.

Our next problem with the tax people arose after Phyllis' death in 1956. In connection with her estate the federal agents insisted that Federal Estate Tax returns should be filed for E. A., Mary B., J. O. and Clara L. Hayes. I had felt this was unnecessary because they had disposed of all their property before their deaths. However, it was easier to file the returns than to argue, so they were filed. The tax people soon decided that no estate tax was due in respect to Mary B., J. O., or Clara L. Hayes, but they claimed a tax from the E. A. Hayes heirs. Their theory was that since Uncle Everis was the oldesthe had the shortest life expectancy, and since the annuities payable to him would continue to be paid to his heirs until the death of J. O. Hayes, a tax was due. Charles O'Gara, Phyllis' son-in-law, was acting as attorney for most of the E. A. Hayes children, and since my side of the family was not involved he did not ask me to participate in the negotiations. Charles employed a tax attorney, Samuel Taylor, to help him. The estate tax was finally fixed at $4,200.96, plus interest, and this tax was paid by the children of E. A. Hayes. They were not out of pocket because after Aunt Mary's death the $2,000 per month annuity originally paid to E. A. and Mary B. Hayes was paid to the E. A. Hayes children, after deducting one-half of the Eden Vale household expenses. This continued for three years, from August, 1945 to August, 1948, totalling about $72,000 before the deductions for household expenses.

The probate of Phyllis' estate also aroused the interest of the California Inheritance Tax people. They claimed that under California law the transfer to Hayes Company constituted a taxable inheritance to the children of E. A. and J. O. Hayes, first, because there was no adequate consideration, and second, because our parents had reserved a life estate in some of the property transferred. I knew that Charles was planning to discuss the matter with Mr. Harris, the chief attorney for the Inheritance Tax Department, and I asked that I be permitted to go along, since the decision in Phyllis' case would affect the whole family. Probably Charles did not want me interfering, because he and his legal advisers met with Mr. Harris without letting me know of it. Mr. Harris convinced them that an inheritance tax was due, and a tax was paid in Phyllis' estate.

When I learned of this development I went to Mr. Harris and told him I did not think there should be any inheritance tax. He gave me a list of the California cases he was relying on, and we agreed that I should prepare an informal brief, discussing his cases and presenting my views. In my brief I pointed out that it had been judicially determined by the Board of Tax Appeals in the federal gift tax case that the consideration given for the property was worth more than the value of the property. As to the contention

that our parents had reserved a life estate in the Eden Vale property, I said that was not true because the property was owned by Hayes Chynoweth Company. Our parents had transferred stock in that company with no reservation of the right to receive dividends. The right given our parents to occupy Eden Vale was not an obligation of Hayes Chynoweth Company, the owner of the property, but was created as a contractual obligation of Hayes Company, that company agreeing to make the necessary arrangements with Hayes Chynoweth Company to effect this. On this point Mr. Harris was relying on a California statute enacted in 1935, and I pointed out that since the property was transferred in 1934, the 1935 law could have no effect on the already completed transaction.

A few days after receiving my brief Mr. Harris asked me to come to his office. He told me he was convinced and would make no further effort to collect an inheritance tax. He was bothered by the fact that he had collected a tax from the Phyllis Griffin Estate and said he could not return the payment. I told him I understood and agreed to tell Charles O'Gara. Charles was a little startled when I told him the claim for inheritance taxes had been dropped, but he made no objection to my understanding with Mr. Harris. This was the end of our tax problems, and I felt we had been fortunate to come out as well as we did. My feelings were expressed in a report I made to the directors of Hayes Company in which I said:

> "The depression of the 1930's found E. A. and J. O. Hayes heavily indebted, with the Mercury Herald and the Oregon farm as their only productive properties. The income from these properties fell off to the point that it was insufficient for expenses, and the creditors became threatening. If E. A. or J. O. Hayes had died during this period the estate would have had to be sold to meet creditors' claims.
>
> "Hayes Company was organized to avoid this danger and also to meet the problem of estate and inheritance taxes. It has proved to be just what we needed. If we had not taken this step to build a sound foundation the things we have since accomplished would have been impossible. In the light of the 14 years experience with the corporation, and considering everything that has happened from a tax and business standpoint, it is a real satisfaction to be able to say that if I were now to rewrite the agreements upon which the corporation was founded I do not know of a single change I could make."

EVENTS LEADING TO THE SALE OF THE NEWSPAPERS

As long as we were struggling to avoid financial disaster, with no money available except for the most critical needs, everything was peaceful in the Hayes family. When the debts were brought under control after the purchase of the News and the newspapers began to make a profit there was a change. Some felt that more of the money coming in should be divided among the stockholders, ignoring the fact that we had heavy obligations which had been incurred because of our nrewspaper plant expansion. Harold and I were still being paid a very small monthly salary, but as the newspapers' profits grew we received more money from our profit sharing contract and this was resented by those who felt that all should share alike. Another problem was that some resented a decision that had been made by the directors that no family member, other than those of us who were already working on the newspapers, should be employed unless the employment was approved by the Board of Directors.

In retrospect, I believe that the dissatisfaction felt by a minority of the stockholders over the amount of money they were getting from Hayes Company started with the sale of the Oregon property. Some thought the entire proceeds of the sale should be divided among the family members. A majority felt that the money should be applied toward the payment of the company's debts. Following a discussion of this in a director's meeting, I wrote the family members as follows:

> "Some stockholders may still feel that the money received from the Oregon property was not needed in the business and should have been distributed. The sale of that property brought in $322,056.91. The actual cost of the real estate we own in the block where our office is situated was $265,472.81. To this should be added the sum of $47,062.62 which was expended in 1946 and earlier for necessary additions and alterations. This brings the total to $312,535.43. This shows that the amount of money received from Oregon was almost exactly offset by real estate investments."

As I have said, there was also resentment because Harold and I, through our profit sharing arrangement, were getting more money than others in the family. Since I got more than Harold, this resentment was mainly directed at me, and it led to flareups and arguments in the directors' meetings. I had no feeling of guilt, because I felt I was earning everything I was paid.

As to dividends, I felt we should not be pressured into paying out more than the business could afford. In the letter from which I have quoted, I said:

> "It has been obvious for some years that the directors do not always agree on matters of policy. In thinking things over it seems apparent to me that the disagreements arise because of a fundamental difference in outlook. Some of

the directors seem to be primarily concerned with the amount of money they get from the business each year. Others are more concerned with keeping the business on a sound financial basis, even if it means minimizing dividends paid to stockholders. I realize that some feel that others do not need the money as much as they do. They feel that the others are not always sufficiently moved by these needs.

"We should consider how much the stockholders have received from the earnings of Hayes Company. In this regard our company differs from most in a number of respects. First, none of us has put a dollar into the purchase of stock except money that has come from the earnings of the company. Also, besides being paid dividends we have received annuities and gifts which have come in the first instance from the earnings of the company. In gifts, annuities and dividends the E. A. Hayes children have received a total of $352,125.84 and the J. O. Hayes children have received a total of $322,894.35. This makes a total of $675,020.19."

The E. A. Hayes children received more than the J. O. Hayes children because of the annuities paid to them after the deaths of their parents.

Another source of inharmony was the question as to whether children of the stockholders should be employed by the newspapers. The question first arose when Phyllis came to me with the request that her son-in-law, Charles O'Gara, be employed as the attorney for Hayes Company and that he be paid a monthly retainer. I told her that perhaps this could be arranged and said I would talk with Harold about it. As Harold and I talked we realized that this might lead to trouble. World War II was nearing its end, and some members of the family had boys who would soon be coming home from military service. Some of their parents had already asked us whether jobs would be available on the newspapers when the boys got home.

As to Charles, we did not need another attorney because I had been doing the routine legal work without pay other than my regular salary, and I felt I had done an adequate job. Charles' home and office at first were in San Francisco and then in Monterey, and obviously it would be easier for me to handle legal matters than to get in touch with him, ask him to come to San Jose and then explain the problem to him. The fact that he would be an added expense to the business was not a major consideration.

Harold and I realized that if we employed one member of the younger generation we might have to take them all, irrespective of whether there was available work. We felt there was a danger that no matter what we did some parents might feel there had been discrimination. We decided to recommend to the directors that neither Charles nor any other member of the family not then working for the newspapers should be employed. I wrote the directors in September, 1945, saying:

"It occurs to me that one very serious source of potential trouble is the question of which members of the family are to be employed for work on the newspapers. Several of the boys will soon be released from the service, and a number of the girls have reached the age where they may be looking for employment. If none of them is employed there may be those who will feel that we are not giving a fair opportunity to the next generation. If some or all of them are employed then various members of the family might compare the pay one receives with that of another. The respective speed of advancement might be scrutinized. Some of you without any clear conception of the nature of the work or the value of services performed might become very critical."

Following my letter Harold also wrote to the directors, saying:

"I firmly believe that none of the children should be allowed to come into the paper, as Elystus has pointed out the dangers in this, unless at some time it is mutually agreed among all of us. I wish to state that so far as Dick is concerned I have never asked for him nor do I intend to get him on the paper in the work he has done in the past. I insisted that he be treated like everyone else and he was. If he is ever to be on the paper in the future, I want him to be trained on a metropolitan paper, certainly not on ours."

The directors voted to follow our recommendation, and none of the family was given a job. Phyllis made no attempt to hide her bitterness toward me because Charles was not employed, and I think she never got over it.

Harold's letter mentioned his son, Dick, the only boy of the younger generation who had worked on the Mercury before the war. If any of them was entitled to a job it was he. Following Harold's thought that Dick should have training on a metropolitan paper I asked the publisher of the San Francisco Examiner, who was my friend, if he would try to find a place for Dick. He would and did, and Dick went to work for the Examiner. I have no doubt that if we had not sold our newspapers Dick would eventually have been offered an executive position on them.

As time went on our directors' meetings became more and more unpleasant. The arguments were heated and very noisy. There even was an attempt to get the E. A. Hayes children to combine to present a united front in battling the J. O. Hayes children. In September, 1945 I felt something must be done, and I wrote the directors as follows:

"An analysis of family relationships makes me feel it would be unwise for me to continue indefinitely in my present position on the newspapers. I can foresee possible family trouble ahead, and now that I feel that I have fully met

any responsibility I may have had to any of you I do not see why I should subject myself to the risk of being involved in it."

The letter then suggested possible steps that might be taken in an attempt to avoid family trouble, including the sale of the newspapers. The letter then concluded as follows:

"I am writing thus fully because our family affairs have reached the end of a cycle. It is time to review our past experience and to lay out our future course. The pitfalls ahead may be more emotional than financial, but I believe they are none the less real.

"You all have probably heard our parents say they would be happy if they could leave $100,000 to each of their children to give them some security in life. I believe the average interest in Hayes Company of each child is worth substantially more than that today. Therefore if you decide to proceed in a way I consider impractical I shall feel free to resign considering my job done, and fully realizing that the satisfaction of accomplishment has greatly outweighed the worry and struggle."

Upon receipt of my letter Harold also wrote to all of the directors. He referred to an argument that had taken place at a meeting a few days before, saying:

"It was a very regretable instance, it was childish and uncalled for. We have never had any trouble before. There has never been an instance in any matter where the families have been divided. During the times when things were dark, our union was always very strong among us all. Now that we are making money and things are bright of all times we should be sure to see to it that our relationship is perfectly harmonious. I do not believe the instance that happened last meeting was serious enough to cause any drastic change in the present setup of operating the newspapers, which are now operating smoothly and efficiently, and I believe trouble such as this will never occur again. I firmly believe in what our grandmother said to us years ago. I have never forgotten it and that is, if the children could not carry on harmoniously after the passing of our parents everything would be taken away from us."

Sibyl wrote after receipt of my letter, saying:

"In reply to your letter I am decidedly in favor of selling the papers for several reasons. It is not fair for you and Harold to sacrifice yourselves further for the family, especially when you have other things you wish to do. I am not in favor of keeping the papers unless you and Harold run them. I am not in favor of leasing them under any circumstances to any one. If we can get a good price, like a

million and a half dollars, I think we should sell while prices are high and before the post-war slump has time to set in. I think the country is due to have some rough sledding in the next few years, though perhaps not right away. The sale at a good price would give us all enough money so that we would not need to worry about the future. As far as I am concerned personally I should be glad to have enough money so that I would not need to work."

Mildred also wrote, stressing the need for harmony, and saying that if we could not achieve it "I would be in favor of selling and getting out. Grandma Hayes always told us we would never prosper unless we worked in harmony, and if we are looking for small things to make misunderstandings, we cannot have harmony and I would rather see everything broken up than to have the harrowing experience of seeing distrust grow among us. If our unity is so frail a thingthat we cannot get together we'd better find out now instead of later. My concern about the next meeting is Father. We cannot have him there and we cannot get him to go as we did last time."

Father never could stand inharmony, and Mildred wanted to hide our disagreements from him.

From 1945 to 1949 we carried.on, doing well from a business standpoint. At the end of 1948 the book value of Hayes Company's capital stock had increased to $695.65 per share. We were less successful in improving family relations. The arguements continued, as did the attempt to divide the family into two parts. If an E. A. Hayes child voted with the J. O. Hayes side he was accused of disloyalty. In all fairness, this was to some extent understandable. Over the years as serious problems arose I had handled them in the manner I thought right. Perhaps I should have consulted more often with all of the other family members and asked their advice. Usually I felt I did not have time, but perhaps I should have found the time. The thing I regretted most was the effort to turn Harold against me. He was told that I had been consistently unfair to him, building up my own importance by cutting him down. Eventually the campaign was effective, and finally Harold and I could no longer work harmoniously together as we had in the past.

During this period there was much discussion of a sale of the newspapers, but we reached no definite decision that we should sell. Finally I felt that we could not go on any longer in an inharmonious atmosphere, and in a letter to the directors written in June, 1949 I said:

"I hope and believe that our disagreements have arisen from misunderstanding of facts and business principles and that when all of us fully understand all of the facts the disagreements will evaporate. If not, I can see nothing but trouble ahead for Hayes Company. A closed corporation such as ours, particularly a family corporation, can succeed only

in an atmosphere of harmony. Unless we have such harmony, and I mean real harmony, not unexpressed disagreement, I think it would be foolish to try to go ahead. Certainly I should not wish to retain my stock in a corporation in which fundamental dissension exists. I certainly should be unwilling to take the responsibility for its management. Should such a situation develop I see only two practical possibilities. Either one group should sell out to the other or the properties should be sold and Hayes Company should be liquidated. I hope I have magnified the extent of our disagreement and that we shall never be faced with this alternative."

Mildred answered my letter, telling how distressed she had been. She Said:

"I hope and pray that even the most dreamy members may be given the light now so that we can go ahead without the feeling of sitting on top of a volcano at nearly every meeting. Both Miriam and I have been desperate as we left the meetings in the last months, realizing that something <u>had</u> to be done."

As to the advisability of selling, one important consideration was our situation relative to estate and inheritance taxes. The capital stock each of us owned was now of substantial value, and in most cases the death of a stockholder would have created serious tax problems for his heirs. In those postdepression, postwar days few of us owned much property of value except the Hayes Company stock, and a death would have meant that the stock would have to be sold to pay taxes. There was no market for it, and a forced sale might not bring its true value. It seemed prudent to guard against this danger.

There was no improvement in our family relations, and it was finally agreed by everyone that we should sell the newspapers if a buyer could be found who would make us an acceptable offer. Arthur Stypes, a newspaper broker who had been associated with the firm who acted as our national advertising representative, had been long and favorably known to us. I talked with him, and he started to make discreet inquiries among his newspaper friends. Several publishers showed interest, some even making tentative offers, but none of the offers was attractive. Then Stypes discussed the matter with Leo Owens, a midwestern publisher who wished to move to California. Incidentally, Owens later bought the Richmond Independent.

In January, 1952 Mr. Owens made us a definite offer. He valued the properties owned by Hayes Company at $4,500.000, $3,500,000 for the newspapers and $1,000,000 for the real property. His offer was to buy all of the outstanding capital stock, the total price to be reduced by $700,000, the amount of our indebtedness to Jefferson Standard Life Insurance Company. In reporting

the offer to the stockholders I explained why, if we made a deal, we should sell capital stock rather than the newspapers and other assets of Hayes Company, saying:

> "Throughout the negotiations I have told Mr. Owens that no deal could be made unless he is buying capital stock from the stockholders rather than buying newspapers and real estate from Hayes Company. The reason is that if Hayes Company were to sell the newspapers with or without the real estate the corporation would have to pay a 26% capital gains tax on the profit it makes on the sale, which would be very substantial. Then in order to get any money into the hands of the stockholders a dividend would have to be declared and the individuals would have to pay another tax on the dividends.
>
> "If, on the other hand, the stockholders sell stock in a corporation, they are only required to pay a capital gains tax not exceeding 26% (at present rates) on the profit they make on this sale."

When discussing the proposal with Mr. Owens he told me he would like to have me serve as a consultant if he took over the newspapers. No details were discussed and nothing was decided, but I felt this should be reported to the stockholders. In my letter, I said:

> "As I stated last Monday, Mr. Owens has said he would like to have me keep in touch with the papers and advise on editorial and general policy. I would have nothing to do with the business management or general administration of the papers. Naturally I would expect to be paid for this."

When the stockholders met to consider Mr. Owens offer most of the discussion centered on me. I was accused of trying to make a deal for myself rather than working for the best interest of the family. Naturally I resented this, and the discussion became quite bitter. Mr. Owens' offer was forgotten and I became the issue. Finally I said that I would tell Mr. Owens that his offer was rejected, but that I would have nothing further to do with any negotiations for the sale of our properties. All members of the family still wanted to sell, so I appointed a committee consisting of Harold, Phyllis and Orlo to hunt for and negotiate with prospective buyers.

For some time ill health had made it impossible for Folsom to take and active part in family affairs, and his wife, Lorraine, had been acting for him. They lived in Portland, Oregon, and there had recently been a merger of the two Portland newspapers. Through a friend, Lorraine learned that Vincent Manno, a New York newspaper broker, had handled the Portland deal, and she was told that he had done an excellent job. She got in touch with him and put him in touch with our committee.

In June, 1952 Manno met with Harold, Phyllis and Orlo in

San Jose, and he worked on the project until he brought in an offer the family was willing to accept. The prospective buyers were the Ridder family, who owned newspapers in New York, St. Paul, and Duluth, Minnesota. They had interests in other newspapers including the Seattle Times, and soon after we sold to them they also bought the newspapers in Pasadena and Long Beach. The operated through a corporation, Northwest Publications, Inc.

As the negotiations progressed to the contract drafting stage I still took no part. I wanted to be very sure that no one could attack me again as they had in the Owens matter, and I told the family some other lawyer would have to draft the agreements. At Al Roth's suggestion Edward Landels was employed to act for us. He was attorney for the California Pacific Title Insurance Company and thoroughly competent. I did no negotiating with the Ridders, and my only participation was to join with the others in the family in discussing the proposed agreement with Mr. Landels.

A contract was finally agreed upon in July 1952, and all of the capital stock of Hayes Company was sold to Northwest Publications, Inc. Under the agreement:

1. All real property owned by Hayes Company was transferred to its stockholders, each getting an interest proportionate to his stock ownership. The property transferred included the San Jose Property used for the newspaper plant and the adjoining building which was leased to Gamble-Skogmo Inc. (Western Stores) and Heald's Business College; the Eden Vale property; the Star Mine in Tuolumne County; all Sierra County property still owned by Hayes Company, including all personal personal property and the capital stock of Sierra Buttes Canal Water Company.

Most of the Sierra County real property had been sold by Hayes Company to its stockholders in December, 1949, each buying his proportionate share. The total purchase price was $25,000 and credits accruing to the stockholders on the Company's books were used to make the payments.

The total price to be paid by the stockholders for the property they were now buying from Hayes Company was $998,824, which was the actual market value of the property as determined by appraisers. No cash was paid, offsets being made against money payable to them by the Ridders.

2. The total purchase price paid by Northwest Publications, Inc. for the capital stock of Hayes Company was $3,500,000. $2,100,000 was paid in cash and notes were given for $1,300,000, payable in instalments over a period of ten years. Actually, they were paid in full long before the due date. The other $100,000 went toward the payment of obligations.

3. The Hayes family members agreed to pay the indebtedness to Jefferson Standard Life Insurance Company, then $605,000, and the other indebtednesses, including $58,000 still unpaid on the

purchase price of the new press. In a letter explaining the entire transaction to all members of the family Mr. Landels said:

> "The Hayes family are in effect paying the amount of the press notes but are being reimbursed by the fact that the rental under the lease was made higher than it otherwise would have been."

4. Northwest Publications, Inc. agreed to lease the newspaper plant for 20 years, the rental to be $45,800 per year for ten years, and then to be renegotiated. The tenant was required to pay all expenses, such as taxes, insurance and the cost of upkeep and repairs, making the rental we received net to us. Also we received the rentals paid by Heald's and the Western Stores, although we paid the taxes and insurance premiums payable on the building they occupied.

In 1957 the newspapers needed more space, and they leased the other building from us. The Western Stores moved out and the newspapers expanded into their space. Heald's Business College still occupied the second floor, but became a sub-lessee of Northwest Publications, Inc. The new lease ran until July 31, 1972, to expire at the same time as the lease on the other property. The rental was $21,700 per year net to us, they to pay all taxes and expenses. Thus the total rent we received from the entire block was $67,500 per year.

The time designated fro the renegotiation of the rental was July, 1962 and it was then agreed that the rental for the block should be increased to $91,500 per year. That was the rental we received for the last ten years of the leases, still net to us.

Since the original owners of the capital stock of Hayes Company were now the owners of the San Jose real property and the Ridders were to become their tenants, the family members executed a lease to Hayes Company, which was now owned by Northwest Publications, Inc. containing the provisions which had been agreed upon. Shortly thereafter Hayes Company was merged into Northwest Publications, Inc., disappearing from the scene, and Northwest Publications, Inc. became the lessee.

Arrangements had to be made so that rentals and payments on the Ridder notes could be collected and distributed to the family members without too much confusion. We entered into an agreement with American Trust Company (now Wells Fargo Bank) under which they received and distributed the money.

The family members now owned various parcels of real property, each owning an undivided interest in each parcel. It was obviously impractical to have the title stand in all the different names. We therefore entered into a Holding Agreement with Californic Pacific Title Company (now Title Insurance and Trust Company) under which it took legal title to the properties, agreeing to act according to instructions to be given them by agents ap-

pointed by the family.

It was decided that two agents should be appointed, one from each side of the family, to deal with the Title Company and the American Trust Company. In view of the charges that had been made against me I felt it would be unwise for me to act for the J. O. Hayes family, and at my request Orlo agreed to act. Harold was appointed as the E. A. Hayes family representative. Lorraine decided that she wanted Orlo to represent the Folsom Hayes interest, so she joined our side of the family.

Some weeks later Orlo came to me and said he found it impossible to accomplish anything in negotiating as our family agent and asked if I would not take over. I hesitated, but finally agreed, and Charles O'Gara and I replaced Harold and Orlo. In later years Harold was again named agent in Charles' place, and Harold and I are still acting.

As I have said, I took no part in the negotiations with the Ridders. One day while the talks were continuing Vincent Manno got in touch with me and said the Ridders wanted to talk with me about the possibility of my keeping a connection with the newspapers after the sale was completed. I told him that I thought it would be wrong for me to discuss anything with the Ridders before the deal was closed. After the documents were finally signed Manno again asked me to meet with the Ridders, and I agreed. We discussed the policies we had pursued in publishing the newspapers and they asked many questions, some relating to community affairs and relationships, and some concerning the newspapers' executives. The Ridders priased the newspapers, particularly the Mercury, and Joseph Ridder, who had been disignated by his family to act as their publisher in San Jose, told me that one order he had received was that he was to make no changes of any kind in the Mercury. His family told him that the Mercury was the best newspaper of its size in the United States. Naturally I was pleased, but not greatly surprised. Each year the California Newspaper Publishers Association gave awards to California newspapers for outstanding performance. Among the classifications were best editorial page, best women's page, best sport page, best typography and others, the top award being given for general excellence. In the preceding years our newspapers had received many more awards than any other newspaper. The Mercury got most of the honors, usually winning first place for general excellence.

The Ridders asked whether I would be willing to serve the newspapers in a consulting capacity. I agreed, and we fixed the fee I was to be paid. When I told other members of the family about the arrangement, trouble started. Harold was offended because I, not he, had been asked to serve. Phyllis went to Ed Landels, our attorney, and told him I had betrayed the family and should be sued. Landels asked me what had happened, and I told him I had never talked with the Ridders about a possible contract until after the family deal was closed. I suggested that he talk to the Ridders about it, which he did, and they said they had not

talked with me until after all of the papers relative to the sale had been signed. Landels told Phyllis I had done nothing improper and could not be accused of any wrongdoing.

I thought that was the end of the unpleasantness, but I was wrong. Some time later I heard that Phyllis was telling members of the family that she had learned from Vincent Manno that before the sale to the Ridders was closed I had agreed to get them a low rental for the real property in exchange for my contract as a consultant. Phyllis knew that I was not the one who negotiated the rental, but that seemed to make no difference to her. Later, on a visit to New York I checked with Manno, to find out what he really had said. I then wrote to Mildred, Lyetta, Miriam, Lorraine and Orlo to report on my talk with him. I said:

> "Several of you have told me of the statements made to you by members of the E. A. Hayes family to the effect that Phyllis has said she saw Vincent Manno in New York some months ago and was told by him that before our deal for the sale of our newspapers was closed I made an agreement with the Ridders that in return for the arrangement I have with them I would get them a low rental on the property they are leasing from us. This may not be exactly the story but it is the way I understand it.
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> "I knew of course, that Vincent Manno never made such a statement because he knew I never had any talks at all with the Ridders about rentals on the building or about my employment until after the deal was closed. I thought, however, he might have said something to Phyllis from which she drew an erroneous conclusion. I therefore got in touch with him in New York to find out exactly what he had said to her. He was appalled to hear the story she had told. He told me that he had talked with Phyllis three times while she was in New York, twice very briefly and once when he and Mrs. Manno took her to dinner. He said that not only was my name never mentioned but that there never was any mention of any kind of Hayes family business or of our arrangements with the Ridders. He said he was very careful not to discuss business in view of past experiences but the talk was about travelling in South America, etc. Therefore the story was fabricated from nothing rather than a result of a misunderstanding.
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> "Manno was particularly surprised and shocked because, as he told me, the Ridders had told him of my conversations with them at the time I reached and agreement with them. I had two talks with them after the sale contract was signed. At the first we agreed on a salary for my services. At the second I asked just how many days a week I would be expected to be in San Jose and what my title and duties would be. I then learned that they wanted me to act entirely in a consulting and advisory capacity, with no routine duties. I then told the Ridders I wanted no handout and suggested we

call off the arrangements. They protested, saying they wanted the arrangement and felt they would get full value received for what they paid me. It was on this basis that we went ahead. They had told Manno about this at the time.

"I am not reporting my talk with Manno in order to start new controversies or incriminations but simply because I feel for my own protection this should be a matter of record. For this reason I am sending a copy of this letter to Charles O'Gara. I certainly do not intend to discuss it with anybody."

That was the last I ever heard of this charge against me.

I have been told that some members of the younger generation think we made a mistake when we sold the newspapers. They have been very profitable since the Ridders took over, and the community has had great growth. But in determining the purchase price part of the value placed on the newspapers was based on anticipated growth, and the figure was higher than it would have been if based on earnings alone.

Perhaps after reading this history everyone will realize that we had no choice but to sell. Most of the stockholders felt that disaster was facing us if we continued operating under the conditions then existing. I believe that few if any of those who knew all the facts have ever regretted the sale.

THE LATER YEARS

The sale of the newspapers did not mean there were no further problems for the Hayes family. Decisions had to be made as to what was to be done with the property now jointly owned by the family members, including Eden Vale, the Sierra County property, the Star Mine and the San Jose property. Although the rentals received from Northwest Publications were adequate to pay taxes and expenses incident to the ownership of the properties the money so used reduced the amount available for distribution to the owners.

With the passing of the years deaths occurred in the family, and the changes in ownership added to the complications. Anson had died some years earlier, and his children, Anson, Jr. and Janet, had interests in the property, Janet's being held in trust. Phyllis and Folsom died, and their interests passed to the trusts they had established. Loy's death came later, and he also willed his interest to a trust. On Miriam's death her interest went to her husband, Edgar Kester, and to her daughters, Joan Armstrong and Clare Berlin. After Edgar's death Joan and Clare each became the owner of one-half of Miriam's share. Sibyl's death brought in a number of new owners because she divided her interest between twelve nephews and nieces, each getting a share of the property amounting to about three-fourths of one percent. With the death of Loy's daughter, Fede Black, her interest passed to her estate.

As I have said, two agents were appointed to act for all of the owners in dealing with the Title Company and the American Trust Company. According to law, when someone has appointed an agent to act for him, his death terminates the agency. Joan and Clare and Folsom's trustees had signed documents appointing me as their agent, but Harold was left without legal authorization to act for the new owners on his side of the family. This meant that technically he had no authority to give instructions to the Bank or the Title Company. We were, and still are, in a very dangerous situation. It seemed to me the only practical solution was a sale of all property jointly owned, a distribution of the proceeds, and a final unscrambling of the family affairs. Much has been accomplished toward this objective, but the problem of the San Jose property is still with us.

Eden Vale

At the time of Father's death in 1948 he, Sibyl and Lena Lindeman, with some domestic help, were the only occupants of Eden Vale. Because of the size of the house and the expense of maintaining it and the park it was not practical to continue to use it as a residence after Father's death. The house was closed, and Sibyl and Lena moved to apartments in San Jose. Everybody realized that the only practical solution was to sell the property and thus eliminate the expense of gardeners, caretakers and taxes, but it was not easy to find a buyer. Talks with real estate agents produced no real prospects, and we realized that for an indefinite length of time we would have to arrange for the care of the property

and to pay for its upkeep. At different times Miriam, Mildred and Sibyl took the responsibility for the management and day to day supervision of the property, and this made things much easier for the rest of us.

Things drifted along, still with no buyer in sight, until Al Roth offered to see what he could do to get someone interested. He had many contacts with educational and other institutions, and these seemed to be the most likely prospects. He approached the Ford Foundation; the Veterans Administration Hospital group; the Capital Company, who considered building a resort and golf course; Rickey's restaurants; a Home for the Aged; a Palo Alto group planning to establish a research laboratory; Merck & Co., drugs; Southern Pacific Company, who thought of establishing an industrial area; various Catholic organizations, including a Southern California Catholic Order; two Baptist School groups; the Episcopal Diocese, who were looking for a headquarters. There were others, such as boys' schools, but none of these prospects made an offer to buy the property.

The main obstacles to a sale were: (1) the railroad crossing, a constant danger; (2) the doubtful quality of the water, which was pumped from wells; (3) the lack of a sewage system and inadequacy of the septic tanks; (4) the failure of the house to meet the fire marshall's requirements for buildings used by institutions; (5) the almost prohibitive cost of alterations if the entire house were to be used.

The family realized that the continuing population growth in the Santa Clara Valley meant that land values could be expected to increase, but they hoped Eden Vale could be sold to someone who would leave the house and at least some of the park much as it was. We hated to think that everything we had loved might be destroyed so that the property could be used for industrial purposes. Finally, Al negotiated a sale to a Palo Alto doctor who was willing to take his chances on finding ways to use the property. The sale came as a great relief to those family members who had had the responsibility for the management of the property and the payment of expenses. I doubt whether any of them has ever regretted the decision to sell.

Although the home is still standing, there have been many changes at Eden Vale. The front section adjoining the railroad tracks is now the Frontier Village, an amusement park. The Chapel grounds and adjoining area have been converted into a Mobile Homes settlement. The house itself has been used for various purposes, including apartments and is now a Rescue Mission for the rehabilitation of alcoholics. I am sure that Grandmother and our parents would approve of this objective.

Sierra County Property

The property owned by the family in Sierra County consisted of three houses; the Sierra Buttes mine, with its buildings and equip-

to buy the property for $2,000.00 he should have preference. If any of you wishes to make an offer for $2,000.00 or more, please communicate with either of us as soon as possible. Otherwise, we plan to sell to Mr. Loney.

"If more than one member of the family submits an offer for the property it will be sold to the highest bidder. If no offer is received within two weeks we shall presume that no one wishes to bid.

"All of us should be grateful to Carroll for the trouble he has taken to get this offer for us."

The following members of the family submitted bids for the property:

Phillip Hayes	$2,515.00
Clare Berlin	2,525.25
Richard Hayes	3,010.00
Carroll Hayes	3,020.00
Joan and William Armstrong	3,250.00

Since the Armstrongs were the highest bidders the property was sold to them. One more family complication was ended.

The San Jose Property

After the sale of the Star Mine the Santa Clara Street property in San Jose was the only property still jointly owned by the family. All of it was leased to Northwest Publications, and since the tenant paid all taxes and expenses and the lease ran until 1972, the family felt under no great pressure to make a final decision as to what should be done with it.

As early as 1954 the Ridders began to worry about what might happen when the lease expired. Mr. B. H. Ridder, Joe's father, asked me whether the family would be willing to sell at a reasonable price. I told him I thought the various family members might have different views. I said I felt I should not take part in any negotiations, but that if they had any offer or suggestions they might put them in a letter, and we could go on from there. They never wrote and never made us an offer for the property.

Not long after this the newspapers expanded their office space into the building on the corner of Notre Dame Avenue, but soon the Ridders felt they needed still more space. They bought some property on the Bayshore Freeway and eventually built a new plant at that location, moving out of the Santa Clara Street property. They still paid us rent even though they were not using our buildings. They were unhappy about this extra expense, but there never was a suggestion that they might renege on their obligation. They tried to recoup part of their expense by finding subtenants, and we agreed to cooperate. We told them we would approve a sublease to any respectable subtenant, providing the arrangement did

not extend beyond July 31, 1972, the day the main lease expired. We wanted to be sure that any deal we might wish to make at that time, either to sell or to lease the entire property, would not be blocked by the existence of a sublease on a part of the space. Most of the prospects found by the Ridders wanted to be sure of a longer occupancy, so their efforts to find sublessees were not very successful. Heald's Business School and Goodwill Industries are the only present occupants of the property, and the Ridders have paid out a lot of money in rent without getting anything of value in return. We felt this was not our fault because we did not participate in their decision to build their new plant.

As this is written, in 1971, the lease on our property has less than a year to run and we have no assurance that there will be any income from the property after July 31, 1972. If we own it after that time the only possibility of receiving money from it will be to sell or lease it, and as of now no one is authorized to direct the Title Company to sign a deed or a lease. Everyone who has an interest in the property would have to give written instructions to the Title Company, and in each case the instructions would have to specify just what the terms of the sale or the lease should be. If a lease, unless the tenant was willing to pay all taxes, premiums on insurance policies and all other expenses, we would have to set up some sort of organization to manage the property and pay the bills. This, too, would require everyone's consent. Furthermore, it seems unlikely that a tenant can be found who would be willing to lease all of the space, and the more tenants, the greater the problems.

Probably we shall eventually be forced to sell the property for the best price we can get. There is a great diversity of views among the owners as to the value of the property, and no doubt some would be very reluctant to approve a sale at a price they considered to be less than its real or potential worth. Assuming that even one of the owners, no matter how small his percentage of ownership, refused or failed to sign the instructions to sell, the only way a sale could be made would be by commencing an action in Court.

I have already told how we acquired the building at Santa Clara Street and Notre Dame Avenue, first by buying a half-interest and then filing what is called a "partition suit" asking that the property be divided, or if that was impractical, that it be sold at auction, with a division of the proceeds of the sale. Unless we can find another solution this may be the only way we can extricate ourselves from the impossible situation now existing.

Any owner of an undivided interest in real property, no matter how small his interest, can force a sale through a partition suit. As this is written the owners of our San Jose property are those listed below, and any one of them could force a sale at any time. They are:

Name	Interest	
1. HAROLD C. HAYES	19/210ths	(9.048%)
SIBYL C. HAYES (Divided into 12 parts):		
2. Jean Griffin Goossen	19/2520ths	(.754%)
3. Nancy O'Gara Davis	19/2520ths	(.754%)
4. Richard E. Hayes	19/2520ths	(.754%)
5. H. Howard Hayes, Executor of the Estate of Fede H. Black	19/2520ths	(.754%)
6. E. Phillip Hayes	19/2520ths	(.754%)
7. Carroll S. Hayes	19/2520ths	(.754%)
8. H. Howard Hayes	19/2520ths	(.754%)
9. Margaret Louise Hayes	19/2520ths	(.754%)
10. John F. Hayes	19/2520ths	(.754%)
11. Helen Hayes Sperry	19/2520ths	(.754%)
12. Josephine Hayes Dwyer	19/2520ths	(.754%)
ANSON C. HAYES INTEREST:		
13. Anson C. Hayes Original Interest 5/210ths Plus share from Sibyl's Estate 19/2520ths	79/2520ths	(3.135%)
14. Anson C. Hayes, Guardian of the Estate of Janet Hayes	5/210ths	(2.381%)
15. Edward Phillip Hayes, Henry Howard Hayes and Carroll Sargent Hayes, Trustees under the Will of LOY BASSETT HAYES	19/210ths	(9.048%)
16. United States National Bank of Portland, Oregon and Edna L. Hayes, co-trustees of the A. FOLSOM HAYES TRUST	19/210ths	(9.048%)
17 to 21. Nancy O'Gara Davis and Eugene Goossen, co-trustees of the PHYLLIS HAYES EDUCATIONAL TRUST. (This trust consists of five separate trusts, one each for the benefit of Theodore Goossen, Mary Goossen, Chloe O'Gara, Geoffry O'Gara and Phyllis O'Gara. As each beneficiary reaches his or her twenty-fifth birthday a 38/2100th interest in the property passes to him or her as the owner free from any restriction.)	19/210ths	(9.048%)
22. MILDRED HAYES ROTH	1/10th	(10.00%)
23. LYETTA H. HOUGHTON	1/10th	(10.00%)
24. ELYSTUS L. HAYES	1/10th	(10.00%)
25. J. ORLO HAYES	1/10th	(10.00%)
MIRIAM HAYES KESTER INTEREST:		
26. Joan K. Armstrong	1/20th	(5.00%)
27. Clare K. Berlin	1/20th	(5.00%)

It has been obvious for years that some arrangement should be made for the management of the property. We have struggled through up to now, but when the lease expires no one will be authorized to do anything unless a new contract is signed by all of the owners. For more than seven years I have been urging the family to do something about this. My suggestion was that four agents be appointed, two from each side of the family, with any three being authorized to take such action as they deem necessary for the protection of the property. As to selling or leasing, I suggested that this be done only after securing the consent of owners holding a majority interest. There have been many meetings, and several drafts of proposed agreements have been prepared. I have drawn four or five and Charles O'Gara and Nancy's attorney, Duard Geis, have each drawn one. Nothing has come of any of them.

I suppose there are several reasons why some members of the family have shown little interest in planning for the future. Probably some do not fully understand the danger facing us, not realizing that when the lease expires in 1972 we could find ourselves receiving no income from the property and having to dig up money to pay taxes and expenses. Perhaps others are reluctant to change the present situation, in which any owner can veto any proposal concerning the property. Perhaps there is still a residue from earlier years when attempts were made to divide the family, and one side was afraid it might be outvoted by the other. Whatever the reason nothing has been accomplished and the expiration date of the lease draws near. If nothing is done it seems there must be a partition suit, with the property being sold for whatever we can get, perhaps under very unfavorable conditions.

* * * * *

I hate to end these memoirs on such a gloomy note. While there have been many problems over the years, some of them seemingly insurmountable, we have struggled through. In the early years of my contact with our family affairs it seemed impossible that my generation would ever receive any money from the family property. They have received a lot.

After our financial position improved with the purchase of the Evening News the directors of Hayes Company were paid director's fees, and its stockholders received dividends. When the capital stock of Hayes Company was sold to the Ridders each of the stockholders, except Anson and Janet, received more than $300,000 before taxes. More money was distributed after Eden Vale was sold. Each of us who owns a full share of the San Jose property has received well over $100,000 in rentals in the last nineteen years. The family members have not done so badly, even if nothing ever comes in from the San Jose property after the lease expires.

The realization that the members of the family have received so much makes it easy for me to forget the worries and struggles,

the distrust and criticism, which I attribute to a lack of understanding. It is my prayer that the future years will bring nothing but love and harmony to the Hayes family.

Elystus L. Hayes

CONCLUSION

Since the above was written there has been a solution of the family problems which were outlined in the previous instalment of these memoirs. Everyone who owned an interest in the San Jose property came to realize that something must be done to make it possible to deal with the property after July 31, 1972 when the lease to Northwest Publications, Inc. was to expire. Someone had to be authorized to act for all of the owners, irrespective of whether the property was to be sold, leased or retained by the owners. After thorough consideration and discussion an agreement was signed by all of the owners, dated April 1, 1972, which appointed Richard Hayes, William Roth, Clare Berlin and Carroll Hayes as agents, empowering them to act for all.

Under the agreement decisions could be made by any three of the agents. They were authorized to receive the property from Northwest Publications when the lease expired, and to take all steps necessary to manage and protect it. They were authorized to lease the property, and it was their reponsibility to see that necessary repairs were made, and that taxes and other obligations were paid. Sufficient funds had been accumulated in a reserve held by the Wells Fargo Bank to carry us for some time.

The agreement provided that the agents should sell the property if at any time they received an offer of $800,000 for it. This figure was selected because we had been offered that amount for the property about two years earlier. The offer was refected because some of the owners thought the property was worth much more.

The agreement also provided that the $800,000 price for the property could be increased or decreased at any time by the owners of at least 51% of the ownership interest.

No purchaser of the property having appeared, the agents took possession on August 1st. Prior to that time plans had to be made so that there would be a minimum of confusion. The agents appointed Carroll Hayes to look after things in San Jose, and he did an excellent job, dealing with the sub-tenants, the taxing authorities, insurance people and Northwest Publications, and handling other matters needing attention.

Dick Hayes took on the responsiblity of keeping the contracts and records and handling the correspondence with all of the owners. It was not an easy job, but he handled it very well. His wife, Janet, made a valuable contribution by doing the typing and other secretarial work.

Clare Berlin acted as secretary for the agents. She took

the minutes of their meetings and kept the records straight. She made many trips to San Jose and San Francisco from Los Angeles, and rendered most valuable service.

William Roth had had much experience with real estate, and he concentrated on trying to find a buyer for the property. No buyer was found, but he made a great contribution by convincing many of us that $800,000 was not the realistic value of the property.

After the signing of the agreement appointing the agents various members of the family made efforts to find someone interested in buying the property, but nobody showed any interest. Then in July, 1972 Phillip, Carroll and Howard Hayes submitted an offer of $375,000 in cash. Most of the owners were willing to sell, and they signed an amendment to the original agreement reducing the authorized selling price from $800,000 to $375,000, but providing that if the agents received a higher offer before October 1, 1972 it should be accepted. Otherwise the property should be sold to Phillip, Carroll and Howard.

An offer to buy the property was then received from Nancy Davis, Richard Hayes and John Ritchie, setting the price at $385,000. The offer specified that the owners should pay a real estate commission, the Title Insurance premium and other expenses. These totatled $8,484.25, leaving a net price of $376,515.75. Since this was $1,515.75 higher than the other offer the agents accepted it and the property was sold.

After the money was received and distributed among the owners the family was no longer involved as a unit in any property or financial affairs, ending a long period of mutual involvment. From now on the bond between the members of the family will be those of love and blood relationship.

Elystus L. Hayes

EDENVALE MEMORIES

by
Robin Folsom

It was refreshing indeed to read Miriam Roth Mackenzie's impressions of Edenvale. How much I agree with her in her thoughts and recollections of all our happy days there. Psychologists tell us, that of all the five senses, the sense of smell has the greatest power of recollection. Surely those gardens with the permeating fragrance of flowers and shrubs have left very vivid impressions with me. None of us will ever forget quite that smell of violets near the oaks nor that of the nectar oozing from the fruit blossoms in full bloom.

Perhaps more recollective than any other place for me was the greeny, earthy smell of the potted plants that lined the connecting hall towards the dining room. Cousin Sybil was always there,somewhere in the shadows of the dining room, in her quiet, dignified way assuring the proper functioning of the kitchen and the service. I am glad that Miriam still prepares the graham salt rising bread. For that particualr receipe should never be lost, but passed on to future generations.

When I was very young my mother and father would drive us to Edenvale on many Sundays - sometimes to spend a few days. It was always a visit I looked forward to. One Sunday when I was eight, Uncle E. A. and Ed Kester took me for a walk to visit the bee-hives which the family used to polinate the fruit blossoms. The observation of the honeybees working to and from the hive and the fragrance of the honeycombs left an indelible impression on me. Four years later I owned my first two beehives and as the years passed I added more than fifty hives to my apiary. Near my home in Hillsborough the eucalyptus blossoms provided an aromatic nectar - transformed into honey by the bees. This, I sold to the local markets in San Mateo and Burlingame. When the eucalyptus crop was finished in June I would move the hives at night to Soledad for the sage blossoms. The sale of honey helped with my expenses during college.

Somehow, I had always hoped that the final disposition of Edenvale would be to a Religious Order or for those in the contemplative life. As a realtor I worked toward that end and hoped to interest such a group. Surprisingly enough, it was the railroad crossing that offerred the most resistence.

In my travels through more than fifty countries I have never discovered quite another Edenvale. Yet in Mexico, not more than forty miles from Taxco, is a mineral spa called Ixtapan de la Sal. Its warm thermal springs have been used by Montezuma and the descendents of the Aztecs for generations. My

wife, Jane, and I spent a week there during the past Christmas holidays. Located in an upland plain amid scattered oaks, the hotel and gardens of this delightful spa are strongly suggestive of Edenvale in the happy days we all knew. The gardens offer a profusion of blooms - of poinsettias, geraniums, bouganvillea and sweet peas. There are many fountains at Ixtapan which emit great torrents of gushing water upwards at periodic intervals and controlled by a master time clock. The pools surrounding the fountains are lined with imbedded mosaic stones in true Aztec tradition. At night, colored lights play upon the fountains affording a happy, illuminating effect.

I have only been back to Edenvale once since its transformation. Like the ante-bellum houses of the South and the crumbling ruins of the Irish castles, the heart and spirit have vanished. Only happy memories remain.

To think back happily on those who have passed on from Edenvale to another Kingdom, it give us who remain great comfort to recall the words of Rudyard Kipling: "We'll all meet again, later on."

RF

Excerpts from letters received by Clare Berlin in March, 1972.

From Frances Folsom:

Thankyou so much for the addition to the Edenvale book. Miriam had described those familiar smells to perfection. You have no idea how I loved Edenvale. From the time I was ten until I entered the Convent I looked forward to my visits there. Sometimes I spent week-ends with your mother and Phyllis. I played football in the park with the Hayes boys on Thanksgiving day, rode horseback, drove with Jenney, roasted chestnuts in the evening. What I most enjoyed was just wandering around the grounds, breathing in the country air and thinking.

From Nancy Wilson Hinze:

Just received the interesting chapter written by Miriam MacKenzie and will keep it with the Edenvale manuscript. Yes, I, too, remember distinct and pleasant "smells" in that great house. In fact, that house impressed me so as a child that I positively had stage fright when I'd arrive there! Everybody at Edenvale was sweet to me, but they always seemed so dignified and to know what they were doing!

CHILDHOOD IN THE VALE OF EDEN

BY
Nancy Davis

Who on earth cares about my Edenvale memories? That was my first reaction to Clare's request that we each write them down.

My second reaction was - Clare cares.

My third reaction was that it was probably the only time anyone would ever ask me to write any of my memories. So I had better leap at the opportunity.

My husband's reaction was that it might make me stop talking about Edenvale every time I met a cousin.

My daughter's reaction was that it might be a good cathartic; but she put it more politely.

Edenvale was beautiful. As Midge says, it smelled good. It had many sounds, too. There were birds, crickets, frogs, turkeys, a donkey, cars of all vintages, and the rumble and steam whistles of trains going by.

Jean and I came with our parents over the old San Juan grade. We drove through miles of orchards, finally crossing the tracks and entering through the big iron gates.

Two painfully shy little girls, we shed those feelings when we arrived at Edenvale. Emma Abbott would grab our bags. She continued to do so after she was a wizened little old woman. We would try to stop her, but we couldn't very well knock her down.

Grandmother and Grandfather were figureheads to me. Grandfather seemed imposing and fierce when I was small. Jean had stayed with them once when I was sick. Jean and Grandmother had developed a closeness I never shared. Jean was familiar with such persons as "Auntie Cousin Florence," whose relationship, like many who came and went from Edenvale, is still a mystery to me. I don't even remember her.

I felt a special attachment for Aunt Clara though I don't remember any specific overtures made by her. It was tremendously exciting to see our aunts and uncles arrive at Thanksgiving and Christmas. I loved them all quite indiscriminately, and enjoyed welcoming them and kissing them goodnight. I couldn't imagine that any of them had problems. Louise once told Jean that her mother had been miserable when she entered the family, and had spent a good bit of time up in a tree crying. I was shocked.

To me the extended family that ate at the long table with a bowl of milk gravy at one end and a bowl of meat gravy at the other was perfect. I liked the evening meetings we were required to attend. I seldom listened to the sermons, but enjoyed the singing, particularly when Uncle Jay and Grandfather harmonized, and when Mother played the piano.

Aunt Lyetta was the glamour girl of Edenvale. She had been to the Orient. Her room was decorated in purple. It had a beautiful Chinese rug over the wall to wall carpeting that was everywhere at Edenvale. She had her own car and a career.

Once I got into the center house elevator with Grandmother who was blind. Who should already be in it but Hugh, about four years old, and naked. I was fascinated that he should be doing just as he pleased while Grandmother didn't even know he was there. I didn't say a word. The next thing I knew, Jean found me and said Uncle Orlo was chasing Hugh around the house.

Edenvale was where I first fell in love. Bob Kester and I were about seven. Somebody took him into town one day, and he came back with a magnificent ruby ring from the five and ten cents store. We roamed around Edenvale together exploring the fields, barns and out-buildings. We rode on the fruit wagon while Brum sang, "My wife she go to the country - Hooray!" It was a completely satisfying and undemanding romance. I don't remember how it ended.

Not every memory is joyous. My parents never corrected me for calling freight trains "afraid trains," and I was intensely scared of them. The tramps who were fed at the back door had scowled at me when I stared. Since I knew they rode the freight trains, they became part of my fear. Passenger trains, on the other hand, conjured up romance and far off places. We had travelled on them to Los Angeles, rumbling through tunnels on exciting visits to our Griffin grandparents. I felt those tracks could lead absolutely anywhere.

Jean and I had shared a room all of our lives. At Edenvale there were occasions when I slept alone. Perhaps Jean was asked to sleep with Joan and Louise, or perhaps one of us had a cold. The light fixtures were by the door. I put every chair and table in a line from the bed to the light switch. My determination was that my feet should never touch the floor. I worked my way back on top of the furniture after I turned off the light. When I got into bed I covered myself completely, including my hands. I feared some sort of tramp-like monster would see my hands, start biting my nails, and continue consuming me.

We went abroad with Mother in 1932. Jean was eleven and I nine. Uncle Dit and Aunt Emma saw us off in San Francisco. I remember Elena waving from her perch on her father's shoulders

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as the ship moved away. Elena and Fede were the first and only babies I played with until I had my own.

We didn't return to California until I was in high school. When Jean and I felt miserable in the French convent where we boarded, we sang "America the Beautiful" very softly under our covers at night. When it came to the part that says "across the fruited plains" I was being driven by the orchards again on the way to Edenvale.

On our return we soon felt at home again. Joan, Clare and Patsy told us we had been discussed, and it had been decided that Jean was beautiful and I was attractive. I was so excited at being attractive that this dubious compliment sustained me through years of pimply adolescent crises. I stretched my "attractiveness" to include being mysterious, surprising, hard to know and exotic.

More sophisticated now, we and our cousins played Mah-Jong and Murder in the center house. We stretched mosquito netting over us and crowded onto the porch over the porte cochere for the night.

Some of our illusions had vanished by now. We knew Anson was playing Santa Claus, and that it used to be Uncle Loy. Anson, Jean, Joan and Dick were soon at Stanford. World War II started in Europe, and Louise's fiance buzzed Edenvale. My acne calmed down and Dick took me swimming at the country club.

One weekend I had a date. Aunt Sybil waited up for us and took us to the kitchen for hot chocolate. We had stayed out late and the entire surface was scum, which she stirred in. The next night we were determined to avoid Aunt Sybil's hot chocolate, and we sneaked out. To my horror, on my return there wasn't one window or door of that house that wasn't locked. I had to throw pebbles at Aunt Sybil's window. Typically, she never told on me.

My last faux pas at Edenvale was near the end. I had had the flu in what we called Aunt Sybil's room in the center house. I came down for my first meal. The bowl of milk gravy was still at one end of the table, and the meat gravy at the other, but it was a small table. The servants were few and untrained, particularly the cook. Grandmother was bedridden and attended by Mrs. Partington, a kind but alcoholic practical nurse. Grandfather had died. Uncle Jay was one end of the table, Aunt Blimmy, Aunt Sybil and Mother at the other. Conversation was sparse. I decided to tell them of my experience while I still had a fever. I had looked up at the high windows above the center hall, and a grey haired woman I didn't know walked by. I only saw her from the chest up and couldn't tell what period of clothes she wore, but she was heavy set. Auntie Cousin Florence? Since nobody could have been way up there, I

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said I must have seen a ghost.

Nobody cracked a smile, and I could tell my mother was furious. Later I approached her about it. She said,"Don't you think Sybil has problems enough? Do you want all the servants to leave? You described the same woman Mrs. Partington talks about when she's drunk. The other servants have been told it's her delerium tremens." I was sworn not to mention it to Mrs. Partington, which I still regret. She might have seen our ghost do something livelier.

Soon after, Edenvale was empty. No more conversation chair in the center house; no more pianos in the living rooms or coleus and asparagus fern in the conservatory. The big tapestry room, little tapestry room, red room, green room (where Mother smoked her cigarette up the chimney) - all the rooms of memories - were vacant.

Anson, Dick and I brought our families for an Easter party on the lawn, and then it was over. Edenvale was sold.

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EDENVALE MEMORIES

by
Richard E. Hayes

Memories are hard to capture as one grows older, but Edenvale was so vivid an experience, it seems to exist again and again for all of us. And every now and then some anecdote either comic or tender will be recalled.

For the third generation of Hayes's Edenvale was a special retreat, a very pleasant experience in the transition from teen-ager to adult. For a boy in his teens it was one glorious adventure after another for unending summers, or family reunions at Christmas or Thanksgiving. There was nothing Mark Twain or Booth Tarkington had every imagined or set into print that we as teenagers didn't engage in or invent to the consternation of aunts, uncles and parents.

As cousins from both sides of the family we had our crushes, but never told until years later when we were grown up and married. I think my first crush was Miriam Roth. But I was fickle: there was Joan and Jean and Clare and Nancy; they were all beautiful, but the most lovely woman in the world was Aunt Miriam. I had boy crushes, too; Anson was my hero. When I was twelve years old I'd follow him all over Edenvale when he was working with the gardeners. This attachment began when I was a little toddler. I can still feel the sharp pain when a cow kicked my wind out at milking time and Anson carried me piggy-back all the way back to the house from the milk barn.

I have a vivid recollection of one early summer morning with the dew glistening on the lawns. Bob and I have our new shotguns. We creep down through the rows of blackberry bushes, guns at the ready. We bag three cotton tails, and Bob cleans and skins them and we have them for dinner. The cooks were never surprised or squeamsih about the variety of game brought home for the table. The classic we all heard about was the time Orlo and Folsom shot a crane. They cut the neck off and it passed for goose. Quite good, I was told.

The shot patterns side by side on the old woodshed were Orlo's and Folsom's. Just below these two holes are two more holes where Bob and I tested our shotguns one Christmas. Once Joan wanted to shoot my shotgun, and the kick startled her so she dropped it in the mud - - unforgiveable! Long before that Dad had taught me to shoot with the old .22 Winchester he would haul out of a closet on the rare times we would be together, strolling through the parkland looking for red heads or flickers. His big, gentle hands would be on my shoulders to allay my excitement. "Now, son, hold your breath, squeeze easy and you got him!"

The center house was a special place for all of us. We had Ouija-board seances at midnight in the library. I kept trying to push the saucer to spell out Nina Belle Chandler, whom I surely would marry. I could feel Bob pushing on the other end. Our seances were broken up by Aunt Sibyl wh didn't want us inviting unwanted spirits in the house. That night I was sleeping in her room in the center house. I turned out the lights and leapt into the big bed in the curtained alcove so my feet wouldn't touch any monster lurking about the room. There was nothing to simulate the sound of approaching doom like the boom of the giant copper sheathed doors which accessed the center house as fire protection.

If we were at Edenvale during the rainy season, there were always the secret rooms to explore - the voids between some of the bedrooms on the third floor would permit crawling space linking one bedroom to another. One rainy afternoon, Bob and I and Billy Lyon crawled between the walls on the J.O. side third floor, into another bedroom closet. I was the first out the door. In the gloom, as I slowly opened the closet door, Allan's nurse rose up in bed, emitted a terrified scream, and we both fled in opposite directions. There was always Mah-jong and hide and seek. My favorite hiding place was behind the sleighback sofa in what was called the "forty winks" where Grandpa used to nap. Or we'd dress up in Uncle Dit's World War I uniform, gas mask and all.

There was the time I hung periliously from the balaustrade from the second floor in the center house; there were still twelve feet to drop, and Bob and Jack hauled me back up - I lost the dare.

Winters would mean sliding over frozen mud puddles. The big barn was a great refuge. We'd close the doors and let Ferdinand, the burro, run loose below the haystack while we practised jumping off the haystack onto poor Ferdinand's back, like Hopalong Cassidy. Or we would play hide and seek in the hay, until the rainy day somebody grabbed the rope pulling the heavy Jackson Fork down the track and one of the tines piercing the hay speared Jack Hayes through his arm.

In the early spring we used to take our .22's up into the second floor of the old boarding house. Brum always let the chickens out of the yard to roam around the mud puddles for worms. The game was to shoot between the legs of a chicken as it pecked away in a mud puddle. The splash and zing of the bullet between the chicken's legs was very funny. The sport ended when Billy missed and hit a chicken. To hide the evidence we built a big fire in the old stove in the boarding house. Bob dispensed the chicken and we cremated the carcass to destroy the evidence.

Almost all summer long it was Bob and Billy and Dick. If

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we weren't hunting or hiking or swimming, we'd hitch Ferdinand up to the old phaeton and head down the road toward the hills. The greatest part of summer was the Fourth of July. We'd save all our earnings at fifteen cents an hour to buy fireworks. There was the time Bob and I tried to launch a sky-rocket out of the third floor center house window, only it fell off the sill. The rocket took off and screamed around the room in a cloud of smoke, just as Aunt Miriam entered the room. That was the first time I had ever seen her really angry.

I remember Aunt Blimmie applying ointment when an eight incher went off in Billy's hand. One time we developed a cannon made out of an old piece of pipe and a valve spring. We put too much powder in one charge. The missle went through the tool shed cutting a shovel handle in half and continued clear on through the green house and out. The breech end of the cannon narrowly missed Mr. Scheibel, the head gardener. We graduated to blasting caps which we used to steal from the tool shed, until trying to perfect a waterproof connection, we blew the bottom out of the watering trough and all the startled horses jumped over the fence. It took hours to get them back into the corral, Bob and Billy and I coaxing them with handfuls of oats.

One night in a reckless fourteen year old mood, Bob and I stood and threw rocks at the greenhouses, just to hear the tinkle of glass. The next day was a session with Grandfather in his library. We worked out every pane of glass we had broken... fifteen cents per pane, fifteen cents per hour. We picked blackberries and helped Grandpa can the peach and pear crop in the big kitchen in the basement.

It didn't happen very often, but when you had an appointment to see Grandfather in his library, surrounded by all the law books, and the big revolving bird's eye maple stand, you were nervous. Grandfather didn't use a cane or rebuke with invective. He looked at you through those clear blue eyes. You couldn't do anything but admit what you had done.

Through all these escapades and all the trials of growing up, each and everyone of us has been touched and deeply moved by that wonderful family life which Edenvale represented. The two families existed under one big roof. Aunts, uncles, brothers, sisters and cousins were all part of that big family. This warm kinship was nourished by our grandparents on both sides of the family. They had a love of life and of kin and an unswerving and humble faith in God and a respect for every living creature. This spirit still continues when family members gather, even now. There is a kinship, an evident fondness, a real love and respect. It's as if our legacy is being repeated again, and again through time everlasting. For Jesus said, "In my house there are many mansions. I go before you to prepare a place for you."

In a sense that was Edenvale, will be Edenvale, and it will come again for all of us.

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EDENVALE MEMORIES

by
Jean Griffin Goossen
Joan Koster Armstrong

We are sitting in the big bedroom in the Armstrong house, surrounded by family pictures, reminiscing and waiting for the summer rain to pass. Bill is here, too, relaxing and listening.

To begin with earliest memories, we both remember lying in the back seat of the car on our way to Edenvale, sleepily listening to the grown-up conversation in the front seat. In the Griffin car, Gilroy was always mentioned - the midway point between Carmel Valley and Edenvale.

We remember the sounds of the train - so loud and frightening up close that it made us cry when we were little, but the whistle so exciting to hear at a distance. During the years away in Paris (1932 and 1933) Jean used to hear a similar train whistle at night and feel very homesick.

Other sounds - the lawnmower, a distant tractor, the frogs and crickets, the mosquitos when we slept outside over the porte cochere, and poor Fernanda braying in the middle of the night; we had tied her up and forgotten about her, so one of the fathers had to get up and take her back to the barn. There was the droning of bees on the warm summer days in the ivy around the house, the woodpecker tapping on the tree, the hoot of an owl at night, always the birds singing, and the beautiful flowers in abundance everywhere. Joan particularly remembers the distant barking of an occasional dog in the still of night and the high, plaintive howl of the coyotes that made us feel extra safe and snug in our beds. Jean was used to coyotes in Carmel Valley.

At four years old, Jean spent six months at Edenvale, bed-ridden from after-effects of whooping cough. During this time, her grandmother, who was once a schoolteacher, taught her to read, using anagram blocks. As she got better, they would sit at the piano singing, "My darling Nelly Gray, they have taken you away." Later Jean helped her Grandmother make scrapbooks for the younger children. Joan remembers the good stories Aunt Mary used to tell.

Joan remembers her grandfather carrying Bob on his shoulders around the house so Bob could wind the Grandfather clocks. She also remembers the times the Kesters spent Christmas Eve at Edenvale and, so vividly, her grandmother playing Christmas carols for the children to sing. She remembers the hours she spent with her grandmother in her third floor painting studio, watching fascinated as her grandmother painted. The smell of turpentine and linseed oil still evokes strong memories.

We both remember the home remedies at Edenvale, the boneset tea, flaxseed, onion brine for colds; we both loved sage tea and graham gruel and the thin, tasty graham crackers, the wonderful salt-rising bread - a special taste no other bread has ever equalled.

As we grew older, Edenvale meant playing with cousins. Games like "May I" and "Redlight" were good for children of all ages to play together on the lawn. There was a fine continuity of ages. We both were delighted with babies, and there was always a baby to play with. When we weren't playing with babies, we were likely to be playing paper dolls or Jacks with Patsy Lyon. It is hard to remember just how playing paper dolls led to quarrels, but it often did.

There were the special times when Uncle Tody and Aunt Lorraine and their children came and Louise joined Patsy, Jean and Joan in all the numerous activities that were invented. There was always something to do, and so many of our games were imaginative. We remember the Catalpa tree in back of the E. A. side, a huge tree covered with white blossoms in the summer which we put on our fingers and pretended they were people.

There were the visits to the bullpen with the small children - to stand on the water trough and look over the fence at the bull and get scared and be grateful for the protecting wall. We do remember sometimes the donkey was in with the bull, so he couldn't have been all bad!

We remember, too, Uncle Everis' animation as he discussed political issues at the table, and the excitement when Uncle Jay or Uncle Everis came home from Sierra City with chunks of rich ore, meaning a new vein was opened up at the mine.

Older yet, we swam in the irrigation reseservoir, and Bob, Dick and Billy Lyon went off hunting together. We sat and played in the big old Pierce-Arrow. We rode on the back of Erum's truck, singing as we went through the orchards, and smelling the overripe fruit under the trees. We think of Mr. and Mrs. Van and their two little poodles, sometimes dyed to match Mrs. Van's parties.

We also remember the evening meetings and how the grown-ups would groan when we asked to sing "Gathering Seed" and "Work for the Night is Coming." We couldn't imagine why. They didn't mind "Now the Day is Over," another favorite of ours, often requested by the boys whose voices were changing because it has such a good bass part, sung so well by Uncle Jay. At Sunday meetings, we especially remember Mr. Owsley, sitting very straight with his high collar and little shiny black shoes, giving his interpretation of the sermon afterwards.

Now, when we think of Edenvale, we are impressed by the

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great generosity and unselfishness that we took completely for granted at the time. No matter when we arrived, there was a welcome; this was always our home, too. Aunt Sybil or Aunt Lyetta would run to the kitchen to fix us a supper. We could bring anyone we wanted to, and nobody ever acted put out, no matter how tired. Canned goods from Edenvale were on our shelves at home, and our fireplaces burned the wood chopped and stacked by Uncle Everis.

We remember sweet Emma Abbott, who came back one day in a taxi and just stayed, and all the selfless deeds she performed.

Then the three remaining grandparents became really old and we were grown-up. Jean remembers her grandparents during the war, sitting in the blacked-out room holding hands and singing duetts in the dark.

Later yet, with only Uncle Jay and Aunt Mary left, and she bedridden with a broken hip, Uncle Jay came to see her every afternoon at exactly 3:00 P.M. She put her hands underneath her back at 2:30 so that they would be warm; he always worried when she had cold hands. They asked after each other's health, and discussed Uncle Jay's walk around the house. Then she put warm oil in his ears to help his hearing.

It was beautiful and unselfish on the part of the children that the house was kept for as long as the old people lived. Their lives remained easy and harmonious as a result of this.

Edenvale was a place that was always there, a place that we could depend on. This was especially important for Phyllis, Jean and Nancy, who sometimes had no other home. To both Joan and Jean Edenvale is associated with peace, stability and love and a deep sense of harmony. Whether or not this is true for all others, it was always so for us, and this is our memory.

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FIFTY THINGS I REMEMBER ABOUT EDEN VALE

by
Allan Hayes

1. It was the biggest house I ever saw. Since I was only fourteen when the house was closed, and E. A. Hayes died when I was eight, I remember it with a third-grader's sense of scale. Therefore, it was as big as San Simeon. Or the Public Library or the Fairmont Hotel. (This might well be a failing of this entire piece. Eight-year-olds aren't the best factual reporters in the world.)

2. The green antique velvet sofa (sort of Biedermeyer, if I remember it right) in the marble hallway just on the J. O. Hayes side of the center house door. At the time, it struck me as the height of elegance. I have no idea why.

3. The monumental, gilt-framed forest fire painting in the center house. Undoubtedly worth a large fortune today, if you could find the right saloon to buy it. Also, the Thomas-Cole-Hudson-Riverish landscape over the sofa in the E. A. Hayes parlor.

4. Getting stuck in the barbecue pit chimney. I was about four, and tried to climb in from the bottom. Dad found me and rescued me after I'd been in there for about an hour (his estimate).

5. Being dared by Elena and Edgar Crock to jump off the rafters into the hay down in the barn. And refusing.

6. Hating milk gravy.

7. My favorite retreat -- the third-floor room in the center house with the ancient bound volumes of the Mercury and Herald. I spent hours in there doing foolish things like reading the box scores of 1922 Coast League games between Vernon and the San Francisco Missions. An added plus to the room: someone's prehistoric wall-mounted exerciser (one of those bizarre things with stirrups on springs). Whoever used it must have been strong as an ox. The wall plaster was all cracked around it.

8. The morning my nurse woke up in her room on the third floor and found a swarm of bees. I walked in, saw her huddled on the bed in terror, and promptly stepped on a yellowjacket. My foot swelled up like a balloon, and evidently I made enough noise that she found the courage to work her way out herself. Somebody came

upstairs and smoked out the bees -- God knows with what. A smudge pot?

9. The hardest water in the world. And water glasses on the table that always had bubbles in them.

10. A drawer I found in Elena's room with thirty years of canceled checks in it. I hope nobody ever needed them. I messed them up good.

11. The three-seater Frenchified (or "Turkish") conversation chair in the center house. It was shaped like a pinwheel, and I've never seen another like it.

12. My grandmother's studio. Although I never knew her, I certainly knew her paintings. In his memoirs, dad tells of her encounter with Zampolini, the wild Italian artist. I remember turning up a splashy rendering of a lane of eucalyptus trees in pinks, purples, greens and golds. I showed the little scrap to dad, saying it didn't look like grandmother's work. He said it was the quick demonstration sketch Zampolini had made to loosen up her style. This was perhaps twenty years later. The little picture had survived that long.

13. Forty people at a sit-down dinner. And a children's table that was the biggest round table in the world (a child's sense of scale again, or was it really that big?)

14. Alma Crock's boiled vegetables. Until I came to Eden Vale, I'd never seen gray brussells sprouts.

15. Pinky. My father claims he knew a woman born in the eighteenth century. Unless my arithmetic is all wrong, I knew a horse born in the nineteenth century.

16. Brum. "Don't call me Brum! My name is DE Brum! I never been a bum in my life."

17. The trumpet vines around the trees on the main lawn. Olaf the gardener showed me how to suck the honey from the "honeysuckle." I rather admired him until he shocked my nine-year-old, second-world-war conditioned mind. He referred to the Star Spangled Banner as the "Star Strangled Banana." I was appalled.

18. A little touch of childhood horror: finding a long-dead mouse in a mousetrap in the little closet behind all the newspaper volumes. The trap had been set so long before that the mouse was really only a mound of white dust. I still get the willies when I think about it.

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19. A secret clearing in the bushes near the century plants. Only Elena and I knew about it, but as I recall, we finally showed it to Phillip and maybe Carroll. If you kept quiet, it was a 100% secure hiding place.

20. Lyetta telling the story of the demolished Pierce Arrow convertible. One of the great regrets of my life is that I didn't actually see the great event. After all, how often does a train actually smash full bore into a fabulous car, just in the movies?

21. Grandfather hitting golf balls. By standing over on a a little neck of lawn around behind the flagpole and hitting over towards the barbecue pit, he could hit full wood shots.

22. Going with Sybil to spot planes. She had binoculars and a complicated chart that gave the silhouette shapes of Misubishis and Stukas and all those other Axix planes we expected to see any minute. It seemed very serious at the time.

23. The rather sissified statue of a young man in the conservatory, listening eternally to the roar of the ocean in the seashell he was holding, and

24. Listening to the roar of the ocean in the seashells around the base of the statue.

25. Imari (or Victorian pseudo-Imari) dishes.

26. The piano in the children's room. Without doubt, the most wretched square grand in the world.

27. The yellow oak in the entry halls of both houses. The workmanship may have been exquisite, but the color would have done any Southern Pacific station proud.

28. The yellow oak wall phone in the hall near grandfather's den. It had a delightfully ambitious dial intercom device on it: 25 or so numbered brass nails and a little crank you turned and placed on the appropriate nail head. Whether it ever worked, I have no idea. I do know, though, that the Eden Vale phone number was Ballard 2 and that the bank was Ballard 1. They must have talked to the bank a lot in the early days.

29. The only 14-car garage I ever saw at somebody's house. And the Pierce Arrow church wagon.

30. Fresh, warm prunes, right off the tree.

31. The woodshed. Did one man really chop <u>all</u> that wood?

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Or was it just that they never had fires at Eden Vale?

32. Grandfather's typewriter in his den. One of those marvelous old nude Underwoods. I remember I once started a novel entitled "Dectective at Large" on that typewriter. I was about nine at the time, and never got much past "How do you spell: 'Detective'?"

33. The Tiffany-type lamp with the moss green glass shade by the piano in the J. O. Hayes parlor. I'll never forget the green in the shade. Prettiest color I ever saw.

34. Sunday ball games. Where did we ever find enough able-bodied people to play baseball? But I remember choosing up sides in the classic manner -- hand-over-hand on the bat. So there must have been at least a dozen of us out there. Home plate was always in front of the J. O. Hayes door.

35. Seeing dad walk up to the house whitefaced, saying, "The Japanese have just bombed Pearl Harbor." And going in to listen to President Roosevelt tell us about "a day that will live in infamy."

36. Breaking all the laws and climbing up in the center house tower. Also, once courageously sneaking out on the roof.

37. Grandfather's voice at Sunday meetings. In that opera, there was only one star.

38. My first driving lesson. I stopped our 1940 Studebaker by running into one of the oak trees in the parking lot, probably at about one mile an hour.

39. The first transcendent heroic act I ever saw. I was kind of a weird little kid, and few things gratified me more than getting down on my knees in a nice, flat dusty spot and making endless roads with the side of my hand. Leave me alone for a while, and I'd whip out a network of boulevards and intersections that any state highway department would envy. Anyway, I was over by the geranium patch near Uncle Everis's front door, happily building roads, when a visiting teenager (I think some friend of Billy Lyon's, maybe not) rode by on a horse. He was outfitted dashingly, and as he pulled up alongside me he made an imposing figure. He reached into his jacket and handed me a small rubber Hupmobile. "Here's a car for your road, kid," he said, and rode off into the sunset. I'd just met Tom Mix and Joe di Maggio rolled inot one, and don't you try to tell me otherwise.

40. Seeing a real bull for the first time. It scared me.

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When they told me I had to stand back from the fence, I turned clear around and examined that fine old non-functioning (and non-threatening) gas pump down by the barns.

41. Watching the "Daylight" go by. And keeping a respectful distance because somebody once said that if you got too close, you'd be sucked under the wheels.

42. Childish intolerance of the very old. One morning shortly before Uncle Everis's death, he insisted on prunes for breakfast. When they came, he refused them, saying they were figs. Finally, someone (Mrs. Partington?) brought him figs, which satisfied him. Elena and I, with the natural cruelty of children, giggled behind our hands at all this. Another time, Aunt Mary told us all that we shouldn't drink Coca Cola, because it contained cocaine. This was total proof of senility to us. If your'd informed us that the product's original formulation had contained considerable amounts of the drug and that they hadn't yet got ride of all of it even at that late date, we never would have listened. Kids are natural born bigots.

43. The apricot drying trays. Hot, sticky, and covered with flies. I don't know how I can still eat dried apricots.

44. The day Folsom brought the St. Bernards down. Slapstick comedy at its purest.

45. Milking a cow. I was quite tentative about it, and when I produced a squirt I was so startled I let go. City boy that I am, I never tried again.

46. The rock garden. The prettiest spot in all of Eden Vale, even overgrown and untended.

47. The ruins of the chapel, a dangerous and slightly exotic playground. And the huge, gnarled pepper tree overhanging it. I've always had a thing about pepper trees, and that was the best of all.

48. Hours spent pumping the swing hanging from the big oak on the north side of the house, trying to go as high as the big kids. And never succeeding.

49. The tramps and derelicts on the kitchen porch, always gentle, always grateful for the meal. Lyetta pointed out how perfectly natually it followed that the house became an alcoholic rehabilitation center. Which suggests

50. October 1972 and a trip to Frontier Village for my son's birthday. We went into a concession, one of those standard tilted houses where balls seem to roll uphill and pendulums

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swing sideways. They had a spiel modeled after the one at the Mystery Spot near Santa Cruz. I learned that the house had been the home of Senor Garcia, a gardener on the Hayes estate, who had noticed its mystical properties because it was located at the magnetic vortex of the telekinetic confluence of three overhanging oaks, which caused a heightened gravitational cross-current.... well, you get the idea. I guess everything disappears eventually, so there's no use getting mad. But I doubt if I'll go back to Frontier Village soon. I'd rather remember those forty-nine other faces of Eden Vale.

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